

FILED
02-01-2023
Clerk of Circuit Court
Brown County, WI
2022CF000363

STATE OF WISCONSIN

CIRCUIT COURT

BROWN COUNTY

STATE OF WISCONSIN,

Plaintiff

-vs-

**AFFIDAVIT IN SUPPORT OF
QUINN T. JOLLY'S
MOTION TO ADJOURN JURY TRIAL**

TAYLOR D. SCHABBUSINESS,

Defendant

Case No. 22 CF 363

STATE OF WISCONSIN)

)

BROWN COUNTY)

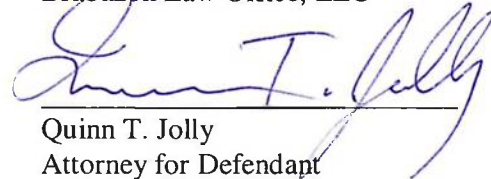
Attorney Quinn T. Jolly, under oath and affirmation, swears to the following:

1. This matter is scheduled to proceed to Jury Trial on March 6, 2023.
2. On January 30, 2023 the State was granted a search warrant for a blue colored Motorola cell phone which was located in a the defendant's bedroom. The search warrant notes the State is looking for things used in the commision of, or may constitute evidence of the crime of 1st Degree Intentional Homicide.
3. The Defendant has not received the results of the search of the Motorola phone.
4. The Defendant needs to review any evidence from the cell phone extraction as well as hire a defense expert to examine the Motorola phone.
5. The Defendant has not completed the discovery necessary to adequately prepare a defense in this matter. This matter is unlike most cases. The State has listed 34 potential witnesses. The amount of discovery is voluminous which is taking longer to review than your typical case
6. On September 1, 2022 the Defendant entered a plea of Not Guilty by Mental Disease or Defect which requires the review of all historical records pertaining to the Defendant. Additionally, the Defense has the burden of proof regarding this plea. The Defense needs additional time to investigate and prepare to support this plea. Under the due process clause, criminal defendants must be given a meaningful opportunity to present a complete defense. California v. Trombetta, 467 U.S. 479, 485 (1984).
7. The Defendant was unable to discuss this matter with counsel for effectively two months while the Defendant was on suicide watch.
8. The Medical Examiner's Report was disclosed on November 8, 2022, nine months after the filing of charges in this matter. The Defense needs additional time to locate and consult with medical experts regarding the Medical Examiner's Report.

9. Defense experts are still reviewing this matter and preparing reports. "Whether rooted directly in the Due Process Clause of the Fourteenth Amendment or in the Compulsory Process or Confrontation Clauses of the Sixth Amendment, the Constitution guarantees criminal defendants `a meaningful opportunity to present a complete defense.'" Crane, supra, at 690 (quoting California v. Trombetta, 467 U. S. 479, 485 (1984); citations omitted).
10. An adjournment of the trial is necessary to complete the discovery process and adequately prepare for trial.
11. This matter has never been adjourned before.
12. The Defendant believes an adjournment is necessary in the interest of fairness and justice.
13. The Defendant believes an adjournment will not prejudice the State.

Dated this 15th day of February, 2023.

Brabazon Law Office, LLC


Quinn T. Jolly
Attorney for Defendant
State Bar No. 1106501

Subscribed and sworn before me this
1 Day of February, 2023.


Merri C. Burnthorn
Notary Public, State of Wisconsin
My commission expires 10/15/2024.