

doctor then claims to need more time to reanalyze earlier results in light of more testing. This is an endless cycle. As to the ballistics analysis, absolutely no explanation is provided as to why an expert could not be retained and could not complete any analysis in less than a year.

The Speedy Trial Act is designed to protect important interests of the public as well as the defendant. It has become difficult for the court conscientiously to conclude that the parties have not had a reasonable time adequately to prepare for trial with the exercise of due diligence.

There is no suggestion by the parties as to how long it would take Dr. Gur to conclude "further in-depth analysis of test results" which she has "recently determined" may be necessary or the length of time reasonably required for a ballistics expert to render a report.

The court cannot conscientiously grant this last minute request for another continuance on the type of showing made by the parties. If the parties wish to obtain still another continuance, they will have to justify it at a hearing on the record at which the court will expect to hear the testimony of the ballistics expert and doctors as to the precise nature of what they are doing, why it reasonably could not have been concluded by this time and, if not, the minimum amount of time in which these analyses and reanalyses can once and for all be

concluded.

ACCORDINGLY, this day of April, 2000,
consistent with the foregoing, a hearing will be held on the
parties Motion for a Continuance at 2:00 p.m., Monday, April 10,
2000 and should such Motion be denied, trial will commence on
Tuesday, April 11, 2000 at 10:00 a.m.

BY THE COURT:

JAY C. WALDMAN, J.