

FILED
01-10-2022
Clerk of Circuit Court
Brown County, WI
2019CF000969

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH VII

BROWN COUNTY

STATE OF WISCONSIN,

Plaintiff

-vs-

**MOTION TO ADJOURN
JURY TRIAL**

FRANKLIN ORTIZ,

Defendant


Case No. 19 CF 969

PLEASE TAKE NOTICE that the Defendant, by his attorneys, Shane Laughton Brabazon, hereby moves the Court to adjourn the Jury Trial in the above referenced case in the interest of justice and fairness.

As grounds, the Defendant relies on the attached Affidavit of Attorney Shane Laughton Brabazon in support of this Motion.

Dated this 8th day of January, 2022.

Brabazon Law Office, LLC.


Shane Laughton Brabazon
State Bar No. 1025598

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STATE OF WISCONSIN

CIRCUIT COURT
BRANCH VII

BROWN COUNTY

STATE OF WISCONSIN,

Plaintiff

-vs-

**AFFIDAVIT IN SUPPORT OF
SHANE LAUGHTON BRABAZON'S
MOTION TO ADJOURN JURY TRIAL**

FRANKLIN ORTIZ

Defendant

Case No. 19 CF 969

STATE OF WISCONSIN)
)
BROWN COUNTY)

Attorney Shane Laughton Brabazon, under oath and affirmation, swears to the following:


1. I am the attorney representing the Defendant.
2. On or about December 3, 2021 I was diagnosed with Covid-19. I was advised my symptoms started on December 2, 2021.
3. Due to extreme exhaustion from the virus, I remained completely out of work until December 17, 2021 when I did make a short appearance via zoom for a status conference.
4. I did try to come back on a full time basis on December 21, 2021. I fought through the fatigue but began to realize I was having significant problems with concentration, memory, focus.
5. Due to these issues, my production had significantly decreased. Tasks that might normally take 15 minutes were taking nearly 4-5 times longer than expected.
6. These issues gradually worsened and I set up an appointment with my primary care physician.
7. On Wednesday, January 5, 2021 I met with my primary care physician. As a result of this consultation and testing I have been directed to "refrain from any work duties, including but not limited to trial work, which requires sustained alertness and concentration. Additionally, any work duties which may require time constraints should be avoided for a period totaling of 45 days".

**Motion to Adjourn
Jury Trial
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8. As the Court is aware, trials require an attorney to be able to focus, concentrate, and comprehend. Trials are unique as they require an attorney to recall testimony from earlier in the trial, whether that was 10 minutes earlier or a day or two earlier. Attorneys need to be able to not only focus, but think on their feet. They need to be able to timely object. They need to be able to not just be in the present, but also need to assess how a strategic decision with a current witness affects another witness. I cannot think of another activity that an attorney engages in that requires more focus, concentration and ability to recall testimony.
9. Unfortunately, with the post-Covid issue I am currently experiencing, it would be unjust for this case to proceed to trial as scheduled.
10. My physician has scheduled a follow up examination in the middle of February to assess these issues. As a result, I believe a Status Conference in the later part of February may be prudent.

Dated this 8th day of January, 2022.

Brabazon Law Office, LLC


Shane Laughton Brabazon
Attorney for Defendant
State Bar No. 1025598

Subscribed and sworn before me this
8 Day of January, 2022.


Merri C. Burnthorn
Notary Public, State of Wisconsin
My commission expires 10.15.2024