

IN THE CIRCUIT COURT OF WARREN COUNTY
STATE OF MISSOURI

STATE OF MISSOURI,	)	
	)	
PLAINTIFF,	)	
	)	
vs.	)	Cause No. 19BB-CR00248-01
	)	
	)	
PEARL GOLDIZEN	)	
	)	
DEFENDANT.	)	

MOTION FOR CHANGE OF JUDGE AND CHANGE OF VENUE

COMES NOW THE DEFENDANT and pursuant to Rule 32.08 requests a
Change of Judge and Change of Venue.

STATEMENT OF FACTS

1. Defendant has previously announced ready for trial.
2. The attached most recent trial calendar shows many more cases with trial dates than can reasonably be tried in a timely fashion. (Attachment 1)
3. There are presently hundreds of cases that have been announced ready for trial but have no assigned trial dates in the Circuit Court of Warren County.
4. Those cases without trial dates are placed in “Group 3” but are not listed on the monthly trial docket so there is no accounting or transparency as to the full scope of the problem.
5. There is no reasonable chance for those cases without trial dates to be set and heard in a timely fashion as required by the 6th Amendment of the U.S. Constitution, and Article II, Section 22 of the Missouri Constitution.

6. The presiding judge has stated that he is working in conformity with Administrative Order 21AO-07 (Attachment 2).

STATEMENT OF LAW

1. RULE 2-2.12 Supervisory Duties

(A) A judge shall require court staff, court officials, and others subject to the judge's direction and control to act in a manner consistent with the judge's obligations under this code.

(B) A judge with supervisory authority for the performance of other judges shall take reasonable measures to ensure that those judges properly discharge their judicial responsibilities, including the prompt disposition of matters before them.

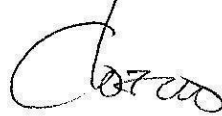
Comment

[2] Public confidence in the judicial system depends upon timely justice. To promote the efficient administration of justice, a judge with supervisory authority must take the steps needed to ensure that judges under his or her supervision administer their workloads promptly.

CONCLUSION

The failure of the presiding judge to properly administer the trial calendar has created an unsolvable problem for which a change of judge and change of venue for cause is required.

WHEREFORE, Defendant requests an order granting Defendant's motion for Change of Judge and Change of Venue.



C. Christopher Lozano #39497
2032 Hanley Rd, Suite 232
O'Fallon, MO 63368
Phone Number: (636) 344-9068
clozano@clozanolaw.com

Certificate of Service

I hereby certify that on this 20th of April, 2023, an electronic copy of the foregoing was sent through the Missouri e-Filing system to counsel of record.

Charles C. "Chris" Lozano

