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IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR
UTAH COUNTY, STATE OF UTAH – AMERICAN FORK DEPARTMENT

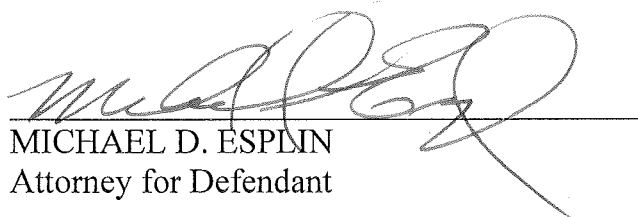
STATE OF UTAH,	:	RESPONSE TO STATE’S REQUEST
	:	FOR EVIDENTIARY HEARING
Plaintiff,	:	
	:	
vs.	:	
	:	Case No. 121101477
DAVID LEE HAMBLIN,	:	
	:	Judge Christine Johnson
Defendant.	:	

Comes now the Defendant, by and through counsel, pursuant to the provisions of Rule 12 (b) and 12(d)(3) of the Utah Rules of Criminal Procedure and hereby renews his Request to Submit his Motion to Dismiss for ruling. The rules do not allow the plaintiff to request an evidentiary hearing on a motion to dismiss. The rule cited by the plaintiff as excusing plaintiff from responding to the plaintiff’s motion and memorandum until after an evidentiary hearing has been held applies only to motions to suppress.

WHEREFORE, defendant requests the court rule on his Motion to Dismiss.

DATED: March 18, 2013

ESPLIN | WEIGHT


MICHAEL D. ESPLIN
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document, specifically identified hereafter, was served by the method indicated below to the following individuals on the date affixed below:

Document	RESPONSE TO STATE'S MOTION FOR EVIDENTIARY HEARING
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Name/Title/or Interest in case	Method
Jeffrey Buhman Utah County Attorney David Sturgill Deputy Utah County Attorney 100 East Center Street, Suite 2100 Provo, UT 84606	U.S. mail, postage prepaid Faxsimile



Date: 3-18-13