

CAUSE NO. F-18-59780

THE STATE OF TEXAS	§	IN THE CDC 6 DISTRICT COURT
	§	
V.	§	OF
	§	
KEILA SORTO	§	DALLAS COUNTY, TEXAS

DEFENDANT' S SECOND DEMAND FOR SPEEDY TRIAL

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Defendant in the above entitled and numbered cause, by and through his attorney of record, G. Don Haslam, Jr., and again requests this Honorable Court to afford the Defendant her constitutional rights to a speedy trial; and in support thereof would show the Court as follows:

I.

This action commenced on December 8, 2018 with the Defendant's arrest. An indictment was returned on or about June 11, 2019.

II.

Defendant filed her first demand for speedy trial February 8, 2019.

III.

Three-hundred-sixty-nine [369] days have passed from the commencement of this action to the date of the filing of this Motion. Neither the Defendant nor defense counsel has committed any act or omission contributing to this delay.

IV.

This cause has never been set for trial. At no time has the Defendant moved for continuance.

V.

At no time during the pendency of this case has the case gone to trial. Each time the case has been delayed, it has been delayed through the actions and inactions of the prosecuting attorney and the courts.

VI.

The above described delay is prejudicial to the Defendant in that since the commencement of this action the Defendant has suffered much anxiety and concern regarding the outcome of the trial herein. Specifically, she is an 18-year old high school senior today, and a junior when arrested. She has no criminal history and is petrified by these proceedings. Court obligations cause her to miss school and raise reputational concerns there. Further, due to delay caused by the State, the Defendant has suffered in her ability to present her case in that evidence and witnesses are at risk of loss and memories of fading. Specifically, there is a video Defendant has been requesting from the State in discovery for some time but has yet to be produced. This denial of evidence has interfered with counsel's ability to effectively advise Defendant so she may knowingly, intelligently and voluntarily make decisions about how to proceed. Further, the delay in production raises the risk of the spoliation of this Dallas County Jail video.

VII.

Therefore, the Defendant's right to a speedy trial, as guaranteed by the Sixth Amendment of the *United States Constitution* and Art. I, Sec. 10 of the *Texas Constitution* have been denied and the Defendant is entitled to a speedy trial in the above entitled and numbered cause.

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully prays that this Honorable Court will grant this, the *Defendant's Second Demand for Speedy Trial* in all things; or

in the alternative, that this Court schedule this matter for a hearing prior to trial on the merits and that at such hearing this Motion will be in all things granted.

By:

 /s/ G. Donald Haslam, Jr.
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CERTIFICATE OF SERVICE

The undersigned certifies that on the 12th day of December, 2018 a true and exact copy of the foregoing was served on the office of the Dallas County District Attorney according to the terms of Rule 3 of the *Statewide Rules Governing Electronic Filing in Criminal Cases*, as amended.

 /s/ G. Donald Haslam, Jr.
G. Donald Haslam, Jr.