

State of Maine

v.

Gerald E. Merrill Jr.

**DEMAND FOR SPEEDY TRIAL &
RELATED RELIEF**

Defendant respectfully demands a speedy trial and moves for related relief:

1. Defendant hereby asserts her/his constitutional rights to a speedy trial. *See Winchester v. State*, 2023 ME 23, ¶ 29, 291 A.3d 707; *Barker v. Wingo*, 407 U.S. 514, 528-28 (1972).
2. Further, defendant requests an order counting against the State that time until which a qualified, competent, and available (*i.e.*, not overburdened) defense attorney is appointed on her/his behalf. *Winchester*, 2023 ME 23, ¶ 45 (“court delays and backlogs” “should be counted against the State”); *Vermont v. Brillion*, 556 U.S. 81, 94 (2009) (delays “resulting from a systemic breakdown in the public defender system” count against the State). WHEREFORE, this Court should grant defendant’s motion for a speedy trial and further relief.

Respectfully submitted,

July 26, 2023



Robert J. Ruffner, 8855

ORDER

The motion for a speedy trial is hereby granted. That time until which a qualified, competent, and available attorney is appointed to represent defendant shall be charged to the State in the speedy-trial analysis.

Judge/Justice

Date