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*Attorney for Defendant*

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**IN THE SIXTH DISTRICT COURT-KANAB  
IN AND FOR KANE COUNTY, STATE OF UTAH**

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<p>STATE OF UTAH,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p><b>ALAN DUDLEY HAMBERLIN,</b></p> <p style="text-align: center;">Defendant.</p>	<p>MOTION TO CONTINUE RE:</p> <p>SENTENCING</p>  <p>Case No. 211600067</p> <p>Judge Mandy Larsen</p>
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COMES NOW DEFENDANT, **ALAN DUDLEY HAMBERLIN**, by and through Counsel, Greg S. Law, and respectfully requests the court continue the sentencing set for February 09, 2023, be continued to a date in late February, and that the date be coordinated between counsel and the court's clerk. As grounds Defendant states:

1. Procedural. Mr. Hamberlin is contemplating filing a motion to arrest judgement which is due prior to sentencing. He is also considering filing a motion for new trial but both of these decisions are dependent upon the thorough review of the trial transcript. Despite paying for expedited transcripts, the job was delayed due to the Christmas holiday, and reassigned and completed using several transcriptionists. Because of the delays in getting both the audio and written transcripts completed for the four (4) day

jury trial, Defendant's appellate counsel does not anticipate making the deadline as they are still reviewing the transcripts to determine whether the arrest of judgment should be prepared and filed, or whether to file a motion for new trial or if an appeal is necessary. This is especially important, where Mr. Hamberlin and his co-defendant, Mr. Hatch, are being prosecuted for the same incident in Arizona and the final outcome in Utah will affect that case.

2. Personal. Mr. Hamberlin would like to be with his daughter, who recently moved back to the United States after living overseas for sometime, and he would like to be present for a significant family event that was not planned or anticipated when sentencing was scheduled. Additionally, Mr. Hamberlin was not convicted of a crime against persons, a crime of violence, is not a threat to society at large, is not a flight risk, and therefore the request to delay sentencing is reasonable.

Due to the uncontrollable delay in receiving the court transcripts, the upcoming specific pre and post sentencing deadlines, and Defendant's need to fully evaluate the testimony evidence and proceedings of trial before taking a course of action, Mr. Hamberlin respectfully requests a continuance of the sentencing set for February 9, 2023, to a date coordinated with counsel.

Mr. Stott declined to stipulate to the continuance so it is presumed that the state opposes the motion to continue.

DATED this 27 day of January, 2023,

**GREG S. LAW, PLLC**

\_\_\_\_\_/s/ Greg S. Law\_\_\_\_\_  
Greg S. Law  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27 day of January 2023, I provided a true and correct copy of the foregoing to the following:

**SIXTH DISTRICT COURT –KANAB**

via electronic filing

**PROSECUTOR'S OFFICE**

via electronic filing

/s/ Angela W. Law  
Angela W. Law, Esq.