# CAPTION: STATE V. PITTMAN

**06-16-23**

APPEAL NO.: C-220460

TRIAL NO.: C-22TRC-5479A

KEY WORDS: PROCEDURE/RULES – DISCOVERY – CONTINUANCE

SUMMARY:

The trial court did not abuse its discretion in denying defendant’s motion for a continuance as a requested sanction for a discovery violation when the violation was not willful, the discovery requested would have aided only in trial preparation and defendant was not prejudiced by the evidence.

The trial court did not abuse its discretion in denying defendant’s motion for a continuance where the inconvenience to the litigants, witnesses and the court from the last-minute nature of the request and the defense’s contribution to the circumstances giving rise to the need for a continuance outweighed the facts that the continuance was the first one requested and there was a good-faith basis for the request.

JUDGMENT: AFFIRMED

JUDGES: OPINION by WINKLER, J.; ZAYAS, P.J., and BOCK, J., CONCUR.