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STATE OF ILLINOIS)
)SS
COUNTY OF McHENRY)

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY ILLINOIS

PEOPLE OF THE STATE,

Plaintiff,

v.

COLIN SCOTT,

Defendant.

No.: 20 CM 1337

OBJECTION TO PROSECUTION MOTION TO CONTINUE

NOW COMES the Defendant, COLIN SCOTT, by and through his attorneys, EKL, WILLIAMS & PROVENZALE, LLC, and in Objection to the Prosecution Motion to Continue states as follows:

1. The Defendant, COLIN SCOTT, who is eighty-nine years of age is charged with the offense of Abused and Neglected Child Reporting Act in violation of 325 ILCS 5/4(a)(9).
2. The offense is alleged to have taken place on July 27, 2006.
3. The Defendant received a Notice to Appear scheduled for November 24, 2020 at which time he appeared and filed a Motion for Discovery.
4. On January 6, 2021 the Defendant appeared before this Honorable Court and waived his right to trial by jury. The case was set for a bench trial on March 17, 2021.
5. Over the following two months the prosecution provided the defense with discovery pursuant to *People v. Schmidt*.

6. On February 24, 2021 the prosecution served a copy of a Subpoena Duces Tecum which was served upon the Kingdom Hall of Jehovah's Witnesses for a significant volume of documents (attached as **Exhibit A**)

7. On information and belief, the requested documents were tendered to the prosecution on March 3, 2021.

8. Under the above circumstances, the request for a continuance based upon the difficulty in having documents translated from Spanish to English is not timely.

WHEREFORE, the Defendant, COLIN SCOTT, prays that the prosecution Motion to Continue be denied.

Respectfully submitted by:

s/ Terry A. Ekl
Attorney for Defendant

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[#00727105]
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EXHIBIT A

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT
MCHENRY COUNTY

PEOPLE OF THE STATE OF ILLINOIS

VS.

COLIN B SCOTT

)
)
)
)
)

No.: 20CM001337

SUBPOENA DUCES TECUM

TO: Custodian of Records:
ADDRESS: Kingdom Hall of Jehovah's Witnesses
5303 Terra Cotta Road
Crystal Lake IL 60012

You are directed to produce the designated documents, objects or tangible things, including but not limited to:

Any and all training programs and material given to mandated reporters at the Kingdom Hall,(Crystal Lake IL)
Any documents or training that the Defendant went through as mandated reporters of the Kingdom
Hall,(Crystal Lake IL)
(all documents starting from 07/27/2004 thru 07/27/2006)
Any Certification of the Defendant: Colin B Scott.
List of Any and All Elders of Kingdom Hall of Jehovah's Witnesses (Crystal Lake IL) on 7/27/2006
List of Any and All Member of Kingdom Hall of Jehovah's Witnesses (Crystal Lake IL) on 7/27/2006

by the following due date: **MARCH 11, 2021**, time: **9:00a.m.**

YOUR FAILURE TO RESPOND TO THIS SUBPOENA OR TO COMPLY WITH COURT RULES MAY SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF COURT.

YOU MAY COMPLY WITH THIS SUBPOENA BY APPEARING IN PERSON IN COURT ON THE RETURN DATE WITH SUBPOENAED MATERIALS. YOU ALSO MAY COMPLY BY MAILING LEGIBLE AND COMPLETE COPIES OF ALL SPECIFIED DOCUMENTS, OBJECTS OR TANGIBLE THINGS REQUESTED IN THIS SUBPOENA AT LEAST FIVE (5) DAYS BEFORE THE DUE DATE TO **PRESIDING JUDGE, MARK R. GERHARDT, IN COURTROOM 303, 2200 N. SEMINARY AVENUE, WOODSTOCK, ILLINOIS 60098.** COMPLIANCE BY MAIL REQUIRES THAT THE ATTACHED CERTIFICATE BE SIGNED AND RETURNED. **DO NOT SEND THESE MATERIALS TO ANYONE OTHER THAN JUDGE MARK R. GERHARDT. DO NOT RETURN THESE MATERIALS TO THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OR THE STATE'S ATTORNEY'S OFFICE.**

KATHERINE M. KEEFE, McHenry County,
Clerk of the Circuit Court, Twenty-Second Judicial
Circuit, and the seal thereof, at Woodstock, Illinois.



Date: February 24, 2021

Katherine M Keefe
Circuit Court Clerk

CERTIFICATION

I hereby certify, under penalty of perjury and contempt of Court, that I have examined the subpoena issued in this cause and that the documents, objects and tangible things attached hereto represent full and complete compliance with said subpoena.

Date: _____

NOTICE TO WITNESS

Signature: _____

The attorney who has requested this subpoena is listed herein. Any questions regarding your knowledge of the subject matter or testimony in the case should be directed to him/her or your attorney.
DO NOT CALL THE CIRCUIT CLERK

Print Name: _____

**PEOPLE VS. COLIN B SCOTT
CASE NO.: 20CM001337
RETURNABLE: MARCH 11, 2021**

**PATRICK KENNEALLY, McHenry County State's Attorney
2200 N. Seminary Ave., Woodstock, IL 60098
(815) 334-4159**

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