

IN THE IOWA DISTRICT COURT IN AND FOR LEE SOUTH – KEOKUK COUNTY

STATE OF IOWA,

Plaintiff,

vs.

BENJAMIN G. TRANE,

Defendant.

CRIMINAL NO.: FECR009152

**DEFENDANT'S MOTION TO
CONTINUE SENTENCING HEARING**

(NO HEARING NECESSARY)

COMES NOW, the Defendant, Benjamin G. Trane, through his undersigned counsel, and for this Motion to Continue Sentencing Hearing, respectfully submits the following:

1. On September 18, 2017, The State charged Mr. Trane with Sexual Abuse in the Third Degree, a Class C Felony, in violation of Iowa Code §§ 709.1, 709.4(1)(a), and 903B.1 (Count I); Sexual Exploitation by a Counselor, a Class D Felony, in violation of Iowa Code §§ 709.15(1), 709.15(2)(a)(1), 709.15(4)(a), and 903B.2 (Count II); and, Child Endangerment, an Aggravated Misdemeanor, in violation of Iowa Code §§ 726.6(1)(a) and 726.6(7) based on actions alleged to have occurred between September 18, 2014, and January 31, 2016.

2. On December 22, 2017, the jury returned a verdict finding Mr. Trane guilty of Assault with Intent to Commit Sexual Abuse, an Aggravated Misdemeanor, on Count I; Pattern, Practice, or Scheme to Engage in Sexual Exploitation by Counselor of Therapist, a Class D Felony, on Count II; and, Child Endangerment, an Aggravated Misdemeanor, on Count III.

3. On January 11, 2018, the undersigned filed his appearance on behalf of Mr. Trane.

4. Mr. Trane is presently out of custody. Sentencing is scheduled for March 12, 2018.

5. A continuance of the sentencing hearing is necessary, as Counsel must obtain copies Mr. Trane's file, exhibits, and the trial transcript to review and prepare for sentencing.

6. Counsel has contacted Assistant Attorney General Denise Timmins and she has no objection to continuing the sentencing hearing. On January 9, 2018, the State filed a Motion to Continue Sentencing.

7. Mr. Trane asks that sentencing be continued. Good cause exists and it is in the interest of justice to continue the sentencing hearing.

8. Neither Mr. Trane nor the State will be prejudiced by a continuance of the sentencing hearing.

WHEREFORE, the Defendant, Benjamin G. Trane, that this Court enter an Order continuing the sentencing date and grant any other relief in favor of Mr. Trane this court deems appropriate.

PARRISH KRUIDENIER DUNN BOLES GRIBBLE
GENTRY BROWN & BERGMANN L.L.P.

BY: /s/ Alfredo Parrish

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