

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 23CV-21-318

MICHEAL PIETRCZAK

PLAINTIFF

V.

**RURAL REVIVAL LIVING
TRUST; AND LAURA LYNN**

DEFENDANTS

MOTION FOR CONTINUANCE

COMES NOW, Separate Defendant named as “Laura Lynn”, which the answering defendant believes to be a misnomer for “Laura Lynn Hammett”, herein referred to as “Defendant” in *pro se*, and for her Motion for Continuance of the Hearing set for August 4, 2021 at 9:00 a.m. states as follows:

1. This case was filed April 23, 2021.
2. Defendant was not aware of the complaint or summons until June 6, 2021.
3. Defendant was researching Micheal Pietrczak v. Rural Revival Living Trust; and Laura Lynn, case number 65-CV-18-8 (“Pietrczak I”) on the night of June 6, 2021 when she saw this case was filed.
4. There was no Affidavit of Service or Proof of Service filed.
5. Pietrczak I was dismissed for lack of prosecution on May 1, 2020 and the case closed on May 4, 2020.
6. Because Separate Defendant Laura Lynn cannot defend Separate Defendant Rural Revival Living Trust, Defendant reached out to prior counsel on Pietrczak I, Rick E. Watson.
7. Without waiving attorney client privilege, Defendant states that she is informed and believes that Mr. Watson is no longer taking cases in Searcy County.

8. It may take Defendant some time to find and retain replacement counsel. At the moment, the Rural Revival Living Trust has no liquid assets in the trust, so it would need to be undefended at this time.
9. When hired, replacement counsel will need time to read through thousands of pages of potential documentary evidence.
10. Even though there was no proof of service or affidavit yet, Defendant worried that Pietrczak would take a default judgment.
11. So, Defendant filed a hastily prepared answer and counterclaim as an individual on June 10, 2021; however much of the required discovery is incomplete as the matter has not been fully developed.
12. In order to properly defend this matter Defendant needs time to finish preparing discovery to serve on Plaintiff and may need to depose some potential witnesses.
13. This request for a continuance is not made for purposes of delay but in the interest of having the proper amount of time to complete discovery and to properly prepare for trial of multiple counts pled.
14. No previous requests for a continuance of the final hearing in this matter has been made by any party, and a continuance of this hearing will not unduly prejudice either party.

15. Movant contacted Plaintiff's Counsel's office with regard to this Motion on June 10, 2021, after filing her response, asking if Plaintiff had an objection to a continuance and offering to meet and confer. She also said she was perplexed about why he did not text to ask for Defendant's mailing address. (Presumably the summones were returned undeliverable.)
16. Plaintiff's counsel replied in full: "Ms. Lynn, I am not obligated to text you. I intend to press forward. Thanks for your response."
17. A true and correct copy of the email chain is attached as exhibit 1.
18. This response is especially odd, since service has not been effected. If Rural Revival Living Trust is given time to respond and one set of interrogatories is propounded and answered, we will already be at or close to August 4, 2021.

WHEREFORE, Defendant respectfully asks this Court continue the hearing set for August 4, 2021 at 9:00 a.m. until a later date in time mutually convenient to all parties and the Court; and for such other and additional relief as the Court deems just and proper in law or equity.

Respectfully submitted,

Laura Lynn, Defendant in pro se

By /s/ Laura Lynn Hammett

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