

#### Rule 5.1.04 Motions

All written motions shall be supported by memorandum of points and authorities containing a specific statement of facts and a concise statement of law.

~~(a)~~ Except as otherwise provided by law or otherwise directed, all pretrial motions, including motions to suppress shall be served and filed at least ten (10) court days, all papers opposing the motion at least five (5) court days, and all reply papers at least two (2) court days before the time appointed for hearing. Proof of service of the moving papers shall be filed no later than five (5) court days before the time appointed for hearing. Failure of either party to file and serve the points and authorities may be deemed by the Court to be a concession to the motion and/or that the motion is without merit. Where the review of a transcript is necessary, the pertinent transcript testimony must be summarized with a specific page and line reference cited.

~~(a)~~~~(b)~~ In the misdemeanor courtrooms, motions to suppress shall be set for confirmation at 9:00 a.m. the Tuesday before the date set for hearing on the motion.

~~(b)~~~~(c)~~ Penal Code § 995 motions shall be set on a different date than other motions.

(Rev. 1/1/98) (Rev. 1/1/99) (Renumbered 1/1/09)