

MULTNOMAH COUNTY CIRCUIT COURT  
IN AND FOR THE STATE OF OREGON

STATE OF OREGON,

PLAINTIFF,

vs.

JOSEPH GIBSON,

DEFENDANT.

No. 19CR53042

DECLARATION OF D. ANGUS LEE IN  
SUPPORT OF JOSEPH GIBSON'S  
EX PARTE MOTION TO CONTINUE

**[ORAL ARGUMENT REQUESTED]**  
**[UTCR 4.050]**

I, D. Angus Lee, declare under the penalty of perjury that the following is true and correct to the best of my knowledge. I am over the age of eighteen, and I am competent to testify to the matters herein. I have personal knowledge of the matters stated herein, or as indicated, have information concerning those matters.

1. The undersigned is counsel of record for the Mr. Gibson in this matter.

2. It is my understanding that trial is currently set to start on 10/4/2021.

3. It is my understanding that Mr. Gibson's case is consolidated for trial with *State v. Schultz* (19CR50035) and *State v. Lewis* (CR1953040), and that neither of these defendants objects to the motion to continue.

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Tuesday, September 7, 2021

4. Counsel for Mr. Gibson is not prepared for trial for the reasons set for in this Motion.

5. I have provided notice of my intent to the State and co-defendants to present this motion at Ex Parte more than twenty-four hours before doing so.

I hereby declare that the above statement is true to the best of my knowledge and belief,  
and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Signed at Vancouver, Washington, on Tuesday, September 7, 2021

S/ D. Angus Lee  
D. Angus Lee

**CERTIFICATE OF SERVICE**

I, Carole Caldwell, hereby declare under penalty of perjury under the laws of the State of Oregon that the following facts are true and correct:

I am a citizen of the United States, over the age of 18 years.

On Tuesday, September 7, 2021, I caused this document to be served in the following manner on the parties listed below:

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Brad Kalbaugh	( )	(BY FIRST CLASS MAIL)
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Counsel for Russell Schultz	( )	(BY FIRST CLASS MAIL)
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Counsel for Mackenzie Lewis	( )	(BY FIRST CLASS MAIL)
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/s/ Carole Caldwell