

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS
DOMESTIC RELATIONS DIVISION

LUNDEN ALEXIS ROBERTS

PLAINTIFF

V.

CAUSE NO. 32DR-19-187-2

ROBERT HUNTER BIDEN

DEFENDANT

DEFENDANT'S MOTION FOR CONTINUANCE

COMES NOW the Defendant, Robert Hunter Biden ("Defendant"), by and through his attorney, Brent M. Langdon of Langdon★Davis, LLP, and for his Motion for Continuance would show as follows:

Background

1. On December 4, 2019 the Court entered an Interlocutory Order and Protective Order which in part states that "defendant or his new counsel shall be present on January 7, 2020, at 9:30 a.m.". See ¶14 of Exhibit "1".
2. On December 31, 2019 the Honorable Don McSpadden recused from this suit. See Exhibit "2".
3. Judge McSpadden confirmed that the hearing for January 7, 2020 was "off the docket". See Exhibit "3".
4. By an Order Setting Hearing on January 2, 2020 the Honorable Holly Meyer set the hearing for January 7, 2020 at 9:30 a.m. See Exhibit "4".

Basis for Continuance

5. Counsel for Defendant requests the Court to grant a continuance on the basis that Defendant has not received proper notice of hearing pursuant to Rule 6 of the Arkansas Rules of Civil Procedure. Rule 6(c) provides that a notice of the hearing on a written motion shall be served not later than 20 days before the time specified for the hearing.

DATE: JANUARY 06, 2020
TIME: 11:02:15

INDEPENDENCE COUNTY, ARKANSAS
CIRCUIT CLERK GREG WALLIS
FILED FOR RECORD BY
R SCOTT POLSTON D.C.

6. This hearing is set for matters for which there is no threat of irreparable harm or damage, therefore entry of an *ex parte* order is not supported. Ark. R. Civ. P. 6(c)

7. Defendant has filed for a protective order which requires a hearing prior to setting this case for hearing to consider child support particularly with regard to Defendant's financial information which has been the subject of an extraordinary amount of attention by media and non-interested, third parties. For example, and in support, two motions to intervene have been filed by individuals without any possible standing or interest in the issues before the Court.

8. Defendant resides in California and is unable to appear on January 7, 2020.

9. Pursuant to Ark. R. Civ. P. 40(b), the court may, upon motion and for good cause shown, continue any case previously set for trial.

10. The decision whether to grant a continuance is entrusted to the sound discretion of the trial court. *Jones v. Jones*, 22 Ark. App. 267, 739 S.W.2d 171 (1987); *Bone v. Bone*, 12 Ark. App. 163, 671 S.W.2d 217 (1984)

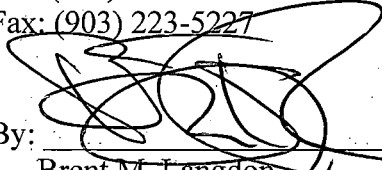
11. This continuance is sought for good cause shown, and is not sought for the purpose of delay, or to cause prejudice to the Plaintiff but, rather, so that justice may be obtained by all parties.

12. Should a hearing on this motion be necessary, Defendant requests the hearing to occur telephonically.

WHEREFORE, Defendant, Robert Hunter Biden, requests this Court to continue the temporary orders hearing till a later date for special setting as the parties may agree, and for such further relief to which this Defendant should be entitled.

Respectfully submitted,

LANGDON★DAVIS, L.L.P.
5902 Summerfield, Suite A
Texarkana, TX 75505-5547
Tel: (903) 223-3246
Fax: (903) 223-5227

By: 

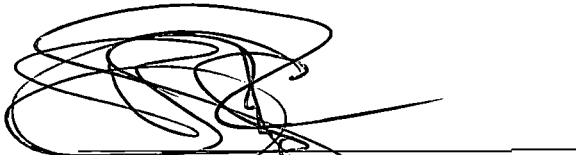
Brent M. Langdon
AR State Bar No. 90042
E-mail: blangdon@ldatty.com
Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that a true copy of the above was served on each attorney of record or party on the 2nd day of January 2020, as follows:

Clinton W. Lancaster
Jennifer M. Lancaster
LANCASTER & LANCASTER
LAW FIRM, PLLC
P.O. Box 1295
Benton, Arkansas 72018

Via Electronic Mail clint@thelancasterlawfirm.com
Via Electronic Mail jennifer@thelancasterlawfirm.com


Brent M. Langdon
Attorney for Defendant

INDEPENDENCE COUNTY, ARKANSAS
CIRCUIT CLERK GREG WALLIS
FILED FOR RECORD BY
Marcia Young D.C.

DATE: December 4, 2019

TIME: 11:04:06

COURT USE ONLY PURSUANT TO ARK. SUP. CT. ADMIN. ORDER NO. 200

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS

LUNDEN ALEXIS ROBERTS

PLAINTIFF

vs.

ROBERT HUNTER BIDEN

DEFENDANT

Case No: 32DR-19-187

2D DIV.

INTERLOCUTORY ORDER AND PROTECTIVE ORDER

BASED ON THE PLEADINGS, statements of counsel, and for good cause shown, the Court finds:

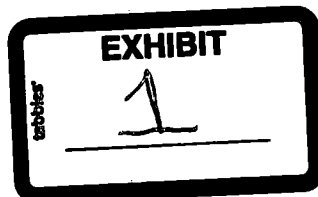
1. That jurisdiction and venue are proper in this Court.

2. The Motion To Withdraw as Attorneys of Record by McDaniel, Richardson and Calhoun, PLLC and Benca and Johnston, PLLC is granted and they are hereby relieved of further duties in this matter.

3. That the motion to seal and motion for protective order are granted in part.

4. That the name of the child shall be treated as "confidential information" pursuant to Ark. Sup. Ct. Admin. Order 19 and sealed. ^{as usual.} The parties should, when possible, refer to the child by the child's initials in pleadings or documents filed with the Court. _{as usual.}

5. That all affidavits of financial means, tax returns, or other financial information concerning either party shall be treated as "confidential financial information" pursuant to Ark. Sup. Ct. Admin. Order 19 and sealed. _{as usual.}



6. That any documents or pleadings—including interrogatories or deposition excerpts—which contain or allude to confidential financial information shall be sealed *AS usual*

7. That either party who submits pleadings or orders containing confidential information as described in this Order shall provide two copies to the intended recipient—one copy with the confidential information fully redacted and the other with the confidential information unredacted.

8. That, if any documents with confidential information are filed by the Clerk of the Court, the redacted document shall be made publicly available and the unredacted document shall be sealed.

9. That only the Court, the Circuit Clerk, their staff members, the parties, or the parties' attorneys of record may view or obtain sealed pleadings, orders, or any other documents with unredacted confidential information. Neither the plaintiff, the defendant, nor their attorneys shall disseminate confidential financial information to any third party except a bona fide expert witness who acknowledges that he, she, or it is bound by the terms of this protective order. No other persons shall be permitted to view, handle, or obtain sealed documents absent an order from this Court.

10. That the DNA test results were received into evidence without objection, but the Court defers a finding of paternity until the Defendant or his counsel appear at the next scheduled hearing.

11. That the ^{plaintiff} defendant shall file an affidavit of financial means with his ^{her} ~~three~~ ^{Five} most recent paystubs or ~~three~~ ^{FIVE} previous years of his ^{her} tax returns no later than the 4:30 p.m. on December 12, 2019.

12. That counsel for the defendant shall provide the defendant's address, telephone number, and contact information so he can be served pleadings, notices, or other documents related to this case no later than the end of the day on December 2, 2019.

13. That all motions or requests for relief not addressed by this Order shall remain pending before the Court.

14. That this case was continued to January 7, 2020, at 9:30 a.m. upon the motion of the defendant. The defendant or his new counsel shall be present on January 7, 2020, at 9:30 a.m. and prepared for a hearing on any outstanding motions and temporary child support.

IT IS, BY THE COURT, SO ORDERED.

PREPARED BY: ATTORNEYS FOR THE PLAINTIFF

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HON. DON McSPADDEN,
CIRCUIT JUDGE

DATED: December 3 2019

AUTHEMATIC ELECTRONIC SIGNATURE
MAY BE PRESENT ON THE LAST PAGE.

Available Online at
<https://caseinfo.arcourts.gov/>

INDEPENDENCE COUNTY, ARKANSAS
CIRCUIT CLERK GREG WALLIS
FILED FOR RECORD BY
CARMEN DUNCAN D.C.

DATE: DECEMBER 31, 2019

TIME: 10:20:54

**IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS
DOMESTIC RELATIONS DIVISION**

LUNDEN ROBERTS

PLAINTIFF

VS.

CASE NO. 32DR-19-187-2

HUNTER BIDEN

DEFENDANT

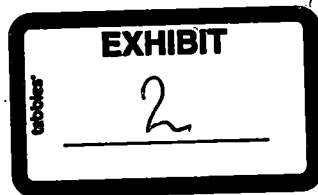
ORDER

On this 31st day of December, 2019 comes the above captioned case and the undersigned Judge recuses from said case pursuant to the Administrative Plan of the Sixteenth Judicial Circuit.



HONORABLE DON McSPADDEN
CIRCUIT JUDGE

DECEMBER 31, 2019



Brent Langdon

From: Don McSpadden <circuitjudgemcspadden@gmail.com>
Sent: Tuesday, December 31, 2019 10:47 AM
To: Brent Langdon
Cc: Clinton W. Lancaster; Jennifer Lancaster
Subject: Re: Recusal order

Yes, that is correct. You will need to contact the clerk's office to see who has the case and then get with their TCA to set the next hearing date.

DTM

On Tue, Dec 31, 2019 at 10:20 AM Brent Langdon <blangdon@ldatty.com> wrote:

I would assume but want to confirm that by your entry of the recusal order that the hearing now set for Jan 7th is off your docket. Please all confirm.

Brent M. Langdon
blangdon@ldatty.com

LANGDON ★ DAVIS

Attorneys and Counselors, LLP

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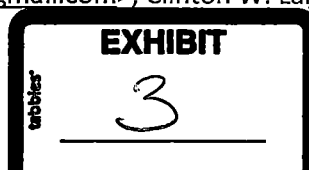
Member of AAML

OUR TEAM, YOUR SIDE.

American Board
of Trial Advocates



From: Brent Langdon
Sent: Tuesday, December 31, 2019 10:17 AM
To: Don McSpadden <circuitjudgemcspadden@gmail.com>; Clinton W. Lancaster <clint@thelancasterlawfirm.com>;



IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS
DOMESTIC RELATIONS DIVISION

LUNDEN ALEXIS ROBERTS

PLAINTIFF

VS. NO. 32DR-19-187

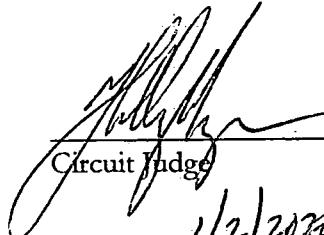
ROBERT HUNTER BIDEN

DEFENDANT

ORDER SETTING HEARING

This matter shall continue to be set for hearing January 7, 2020 at 9:30 a.m. at the Independence County Courthouse. All parties are required to appear for a hearing on all pending motions.

IT IS SO ORDERED.



Circuit Judge

Date: 1/2/2020

EXHIBIT

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