

**SECOND DIVISION
DOYLE, P. J.,
DAVIS and WHITAKER, JJ.**

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October 20, 2026

In the Court of Appeals of Georgia

A26A1117. O'DONOVAN v. THE STATE.

DOYLE, Presiding Judge.

Following a jury trial, Shawn O'Donovan was convicted of two counts of driving under the influence of alcohol ("DUI") and failure to maintain lane. After the trial court denied his plea in bar, O'Donovan appealed, arguing in several related enumerations of error that the trial court erred by denying his plea in bar because the more than six-year period between his arrest and trial amounts to a violation of his constitutional right to a speedy trial. For the reasons that follow, we vacate the trial court's order and remand the case for further proceedings consistent with this opinion.

Viewed in favor of the verdict, see *Ford v. State*, 370 Ga. App. 414 (897 SE2d

621) (2024), the evidence presented at trial shows that just before midnight on July 3, 2019, O'Donovan was pulled over after an officer observed him repeatedly weave out of his lane. Upon making contact with O'Donovan, the officer smelled the odor of alcohol on his breath and saw that his eyes were bloodshot and watery. O'Donovan also exhibited slurred speech and an unsteady gait. He stated that he was coming from a nearby bar and admitted to consuming alcohol earlier in the day.

O'Donovan submitted to a horizontal gaze nystagmus ("HGN") test, which showed six out of six clues of alcohol impairment. He attempted to perform the walk-and-turn and one-leg-stand tests but was unable to complete either. O'Donovan was placed under arrest and read Georgia's implied consent notice. He consented to a blood test, the results of which indicated a blood alcohol concentration of 0.184.

O'Donovan received uniform traffic citations for DUI and failure to maintain lane the night of his arrest. On September 3, 2019, he requested that his case be bound over to superior court. On November 14, 2019, the State filed an accusation charging O'Donovan with DUI (per se), OCGA § 40-6-391(a)(5); DUI (less safe), OCGA § 40-6-391(a)(1); and failure to maintain lane, OCGA § 40-6-48(1).

On February 18, 2020, a bench warrant for O'Donovan's arrest was issued after he failed to appear at arraignment. On March 14, 2020, based on the COVID-19

pandemic, the Supreme Court of Georgia issued an order declaring a statewide judicial emergency, which suspended, among other things, jury trials in criminal cases. On March 29, 2021, jury trials resumed in the judicial circuit where O'Donovan's case was pending. On April 19, 2021, O'Donovan was arrested on the bench warrant.

On September 22, 2021, O'Donovan waived arraignment and entered a plea of not guilty. He thereafter requested and obtained a continuance from the April 4, 2022 trial calendar due to trial counsel's leave of absence. The State asked for and received a continuance from the September 26, 2022 trial calendar based on the medical leave of a law enforcement witness. O'Donovan requested and obtained another continuance from the March 27, 2023 trial calendar due to trial counsel's conflict. His case appeared on a July 24, 2023 trial calendar but was not reached.

O'Donovan's case next appeared on a February 26, 2024 trial calendar. On January 5, 2024, trial counsel withdrew, and on February 22, 2024, new counsel filed an entry of appearance and a leave of absence for February 26 through February 28, 2024. Based on the leave of absence and new counsel's unfamiliarity with the case, the trial court continued O'Donovan's case from the February 26, 2024 trial calendar over the State's objection.

Subsequently, O'Donovan's case was continued from a November 4, 2024 trial

calendar due to trial counsel's family medical needs. His case appeared on a February 17, 2025 trial calendar but was again continued after the State filed on February 6 a motion regarding the admissibility of HGN evidence, which motion included over 1,500 pages of exhibits. O'Donovan's trial counsel objected to the timeliness of the motion and to the trial court ruling on it without a hearing. The trial court reserved ruling on the motion to afford O'Donovan an opportunity to respond. Subsequently, the trial court issued an order continuing the case to the next trial calendar, citing the untimeliness of the motion and O'Donovan's request for a hearing as the reasons for the continuance. The case was then placed on an October 6, 2025 trial calendar.

On October 5, 2025, O'Donovan filed a plea in bar based on an alleged violation of his constitutional right to a speedy trial. At a hearing on October 6, 2025, the trial court orally denied the plea in bar, which denial was later memorialized by written order. In its order, after determining the six-year time between arrest and denial of the plea in bar was presumptively prejudicial, the trial court found that (1) the more than six-year period between O'Donovan's arrest and trial was not uncommonly long; (2) based on the number of continuances he requested, which weighed heavily against him, O'Donovan was responsible for the majority of the delay; (3) O'Donovan did not assert his constitutional right to a speedy trial until more than six years after the case

began; and (4) O'Donovan suffered no prejudice as a result of the delay. On October 9, 2025, O'Donovan was tried before a jury and found guilty of all counts. O'Donovan now appeals.

In several related enumerations of error, O'Donovan contends that the trial court abused its discretion by denying his constitutional speedy trial plea in bar. We agree.

Both the Sixth Amendment of the United States Constitution and the Georgia Constitution provide that a criminal defendant shall have the right to a speedy trial. When considering constitutional speedy trial claims, courts must conduct the two-part test as delineated in the United States Supreme Court's decisions in *Barker v. Wingo*, 407 US 514 (1972), and *Doggett v. United States*, 505 US 647 (1992). Under the *Barker-Doggett* test, [c]ourts first must consider whether the interval between the defendant's arrest, indictment, or other formal accusation and the trial is sufficiently long so as to be characterized as presumptively prejudicial. If the delay is long enough to invoke the presumption of prejudice, the trial court must balance four factors: (1) whether the delay before trial was uncommonly long, (2) whether the government or the criminal defendant is more to blame for the delay, (3) whether, in due course, the defendant asserted his right to a speedy trial, and (4) whether he suffered prejudice as the delay's result. Application of this test is committed principally to the discretion of the trial court, and this Court has a limited role in reviewing the trial court's decision. We must accept the factual findings of the trial court unless they are clearly erroneous, and we must accept the ultimate conclusion of the trial court unless it

amounts to an abuse of discretion.

Labbee v. State, 362 Ga. App. 558, 561 (869 SE2d 520) (2022) (cleaned up).

1. *Presumptive prejudice*. “The right to a speedy trial attaches at the time of arrest or formal accusation or indictment, whichever occurs first, and the courts measure the delay from the time the right attaches. That time then runs until the date on which the defendant’s trial begins.” *Foreman v. State*, 371 Ga. App. 838, 842(1)(a) (903 SE2d 303) (2024) (cleaned up). “A one-year delay is typically presumed to be prejudicial.” *Goins v. State*, 306 Ga. 55, 57(2)(b) (829 SE2d 89) (2019).

O’Donovan was arrested on July 3, 2019, and his trial began on October 9, 2025. Given that more than six years elapsed between O’Donovan’s arrest and trial, the trial court correctly concluded that this delay was presumptively prejudicial.

2. *The Barker-Doggett factors*. We next examine whether the trial court erred in applying the four-factor balancing test. A trial court abuses its discretion if “it misstates or misapplies the law, fails to specify the weight given to one or more of the relevant factors, or misstates or fails to take into account relevant facts of record.” *Foreman*, 371 Ga. App. at 843(1)(b). “It is not the job of an appellate court to weigh the *Barker* factors in the first instance, and so, when a trial court has abused its discretion in its consideration of these factors, we generally remand the case for the

trial court to exercise its discretion again.” *Dillard v. State*, 297 Ga. 756, 762(4) (778 SE2d 184) (2015) (cleaned up).

(a) *Length of the delay*. “[T]he length of delay that can be tolerated in a particular case depends to some extent on the complexity and seriousness of the charges in that case.” *Durham v. State*, 355 Ga. App. 426, 429(1)(a) (844 SE2d 499) (2020) (cleaned up). “The delay that can be tolerated for an ordinary street crime is considerably less than for a serious, complex conspiracy charge.” *Rogers v. State*, 286 Ga. 387, 388 (688 SE2d 344) (2010) (quoting *Barker*, 407 US at 531(IV)). “As the State concedes on appeal, ‘a pretrial delay of over five years is uncommonly long, and as such, is a factor to be weighed against the State on the *Barker-Doggett* scale.’” *Labbee*, 362 Ga. App. 558, 562(2)(a) (quoting *Stewart v. State*, 310 Ga. App. 551, 554(2)(a) (713 SE2d 708) (2011)).

Over six years elapsed between O’Donovan’s arrest and trial. His misdemeanor charges were not particularly complex, and his trial lasted only one day. The trial court concluded that this delay was not uncommonly long. This was error. To the extent that the trial court failed to weigh this factor against the State, it abused its discretion. See *Davis v. State*, 301 Ga. App. 155, 157(1) (687 SE2d 180) (2009); *State v. Reid*, 298 Ga. App. 235, 238-39(2)(b)(i) (679 SE2d 802) (2009). Additionally, “instead of

weighing the length-of-delay factor against the State, the trial court examined the reasons for the delay[.] ... But the reasons for the delay [are their] own factor. The length-of-delay factor should consider only the length of the delay itself, not the reasons for it.” *Redding v. State*, 318 Ga. 225, 228(2)(a) (897 SE2d 801) (2024). To the extent the trial court considered the reasons for the delay in its length-of-delay analysis, it misapplied the law. See *id.*

(b) *Reasons for the delay*. With respect to this factor,

the trial court must consider which party was responsible for the delay, whether the delay was intentional, and, if it was intentional, what the motive was for seeking or causing the delay. As to the amount of weight assigned to this factor, different weights should be assigned to different reasons. A deliberate attempt to delay the trial in order to hamper the defense should be weighted heavily against the government, and an unintentional delay, such as that caused by the prosecuting attorney’s mere negligence or the trial court’s overcrowded docket, should be weighted less heavily. Of course, delay caused by the defense weighs against the defendant.

Redding, 318 Ga. at 228-29(2)(b) (cleaned up) (quoting *Leonard v. State*, 316 Ga. 827, 840(6)(b) (889 SE2d 837) (2023)).

As a preliminary matter, O’Donovan contends that the trial court erred by finding that there are only two weeks per year during which to conduct jury trials in

Towns County without also attributing the lack of additional jury trial dates and resulting delays to the State.¹ Instead of attributing the limited trial availability entirely to the State, the trial court properly treated each continuance as a separate instance. O'Donovan requested multiple continuances from trial calendars knowing that his case would not appear on another trial calendar for another six months. At no point did O'Donovan request that his case be specially set for trial outside of the two regular weeks each year. Accordingly, the trial court did not abuse its discretion by attributing the delay caused by such continuances to O'Donovan. See *State v. Takyi*, 322 Ga. App. 832, 836-37(2)(b) (747 SE2d 24) (2013) (acknowledging that if a defendant takes action that he or she knows will result in a delay in the proceedings, this delay may be attributed to the defendant). Likewise, when a continuance requested by the State resulted in a six-month delay, the trial court properly attributed it to the State.

(i) *Delay caused by the State.* The trial court properly found that the delays between O'Donovan's request to transfer his case to superior court on September 3, 2019, and arraignment on February 18, 2020; and between his waiver of arraignment and not guilty plea on September 22, 2021, and the April 4, 2022 trial calendar on

¹ See OCGA § 15-6-3(17.1) (Enotah Circuit terms of court: Towns and Union Counties begin January 1 and July 1; Lumpkin County terms begin the fourth Monday of February and August; and White County terms begin the first Monday of April and October).

which his case first appeared were attributable to the State and weighed them lightly against it. See *Hardeman v. State*, 280 Ga. App. 168, 170(2) (633 SE2d 595) (2006) (“[T]he primary burden is on the prosecutor and the court — not the defendant — to bring the case to trial. ... [T]he ultimate responsibility for such circumstance rests with the government rather than with the defendant.” (emphasis and quotation marks omitted)).

The trial court properly found that the delay between the September 26, 2022 trial calendar, from which the State obtained a continuance due to the medical leave of a law enforcement witness, and the March 27, 2023 trial calendar was attributable to the State but assessed it lightly given the reason for the delay. See *Brannen v. State*, 274 Ga. 454, 455 (553 SE2d 813) (2001) (“‘A valid reason, such as a missing witness, should serve to justify appropriate delay.’”); *Tyner v. State*, 298 Ga. App. 42, 44(2) (679 SE2d 82) (2009) (“The unavailability of State witnesses weighs against the State.”).

The trial court properly found that the delay between the July 24, 2023 trial calendar, on which O’Donovan’s case appeared but was not reached, and the February 26, 2024 trial calendar was attributable to the State but weighed it lightly on account of the trial court’s overcrowded docket. See *Redding*, 318 Ga. at 228-29(2)(b).

(ii) *Delay caused by O'Donovan*. The trial court found that the delay between July 3, 2019, when O'Donovan was arrested, and September 3, 2019, when O'Donovan requested that his case be bound over to superior court, was attributable to O'Donovan. However, this delay should not have been attributed to him, because it was part of the normal course of the trial court's docket. See *Takyi*, 322 Ga. App. at 837(2)(b) (“[D]elay in run of the mill criminal cases cannot be justified by simply asserting that the public resources provided by the State's criminal justice system are limited and that each case must await its turn.” (quotation marks omitted)); *Hardeman*, 280 Ga. App. at 170(2) (“Although the delay caused by an overcrowded docket is relatively neutral or benign, it still must be weighted against the State since the ultimate responsibility for such circumstance rests with the government rather than with the defendant.” (quotation marks and punctuation omitted)).

The trial court found that the delay between February 18, 2020, when O'Donovan went in to bench warrant status after failing to appear at arraignment, and March 14, 2020, when jury trials were suspended due to the COVID-19 pandemic, was attributable to O'Donovan. The trial court also found that the delay between March 29, 2021, when jury trials resumed, and September 22, 2021, when O'Donovan waived arraignment, was a result of O'Donovan's failure to appear at his arraignment.

These portions of the delay were properly attributed to O'Donovan. See *State v. Porter*, 288 Ga. 524, 528(2)(c)(2) (705 SE2d 636) (2011) (holding that the delay caused by a defendant's fugitive status "cannot be counted against the State, and indeed normally would be weighed heavily against [a defendant], because it usually reflects a defendant's deliberate intent to delay trial").

The trial court found that the delays between April 4, 2022, and September 26, 2022; March 27, 2023, and July 24, 2023; February 26, 2024, and November 4, 2024; and November 4, 2024, and February 27, 2025, were attributable to O'Donovan because in each of these instances, the case was continued from a trial calendar at the request of O'Donovan's counsel due to either a conflict or a leave of absence.

Generally, these portions of the delay were properly assessed against O'Donovan. See *Robinson v. State*, 287 Ga. 265, 268(1)(b) (695 SE2d 201) (2010) ("Because the attorney is the defendant's agent when acting, or failing to act, in furtherance of the litigation, delay caused by the defendant's counsel is charged against the defendant[.]" (punctuation omitted; quoting *Vermont v. Brillon*, 556 US 81, 90-91(II) (2009))). Nevertheless, one aspect of the date range between November 4, 2024, and February 27, 2025, is clearly erroneous; the record demonstrates that the relevant trial calendar was on February 17, 2025, not February 27, 2025. Thus, the

trial court should have calculated the length of this delay to be 105 days rather than 115 days.

The trial court also found that the delay between the February 27, 2025 trial calendar² and October 6, 2025, when O'Donovan's plea in bar was denied, was attributable to O'Donovan because he requested a continuance. O'Donovan contends that the trial court clearly erred by finding that he made such a request. We agree. The State filed a motion regarding the admissibility of HGN evidence on February 6, 2025, the day before the scheduled motions hearing, which motion contained some 1,500 pages of exhibits. O'Donovan's counsel objected to the untimeliness of the motion and to the trial court ruling on it without an evidentiary hearing. The trial court indicated that it would reserve ruling on the motion to give O'Donovan an opportunity to respond. On February 11, 2025, the trial court entered an order continuing the case to the next trial calendar, citing the untimeliness of the motion and the due process requirement that O'Donovan have a reasonable opportunity to respond as the reasons for the continuance. In its order denying O'Donovan's plea in bar, however, the trial court found that O'Donovan requested this continuance. This finding is clearly erroneous, and the trial court abused its discretion in assessing this

² Again, because the relevant trial calendar was on February 17, 2025, the trial court should have calculated the length of this delay to be 231 days, not 221 days.

delay against O'Donovan. Cf. *Ellis v. State*, 343 Ga. App. 391, 397(4)(b) (806 SE2d 839) (2017) (explaining that the delay caused by a continuance granted to a defendant resulting from the State's failure to timely provide discovery was not attributable to the defendant).

(iii) *Delay caused by the COVID-19 pandemic*. The trial court properly found that the delay between March 14, 2020, and March 29, 2021, was caused by the suspension of jury trials as a result of the COVID-19 pandemic and thus attributed it to neither O'Donovan nor the State. See *Labbee*, 362 Ga. App. at 566(2)(b)(iv) (“[N]either party is responsible for the delays caused by the COVID-19 pandemic[.]” (quotation marks omitted)).

(iv) *The trial court's ultimate weighing of the second factor*. After analyzing the various reasons for the delay as discussed above, the trial court concluded that 380 days (or 16.6 percent) of the delay weighed neutrally; 761 days (or 33.3 percent) weighed against the State; and 1,146 days (or 50.1 percent) weighed against O'Donovan and consequently determined that the second factor weighed heavily against O'Donovan. As discussed above, however, the trial court incorrectly attributed 293 days of delay to O'Donovan because the 231-day delay between February 17, 2025, and October 6, 2025, as well as the 62-day delay between July 3,

2019, and September 3, 2019, should not have been assessed against him. O'Donovan was responsible for 853 days (37.3 percent) of the delay at most, whereas the State was responsible for at least 823 days (36 percent) of the delay and, depending on whether and to what extent the delay between February 17, 2025, and October 6, 2025, is weighed against the State on remand, as many as 1,054 days (or 46.1 percent) of the delay may be attributed to the State. Accordingly, the trial court is directed to recalculate and reweigh the portions of the delay attributable to O'Donovan and to the State to determine whether, under the proper analysis, the State may have been responsible for a greater percentage of the delay than O'Donovan. See *Labbee*, 362 Ga. App. at 568(2)(b)(v) (holding that the trial court erred by weighing the second factor against the defendant because the State was responsible for a greater percentage of the delay than the defendant under the correct analysis).

(c) *Assertion of the right.*

The third *Barker-Doggett* factor requires courts to analyze whether the defendant timely asserted his constitutional right to a speedy trial. Though the State bears the burden to ensure that an accused is brought to trial promptly, the accused bears some responsibility to invoke the speedy trial right and put the government on notice that he would prefer to be tried as soon as possible. And because delay often works to the defendant's advantage, the failure of the accused to assert his right in due course generally is accorded strong evidentiary weight. Determining

whether the accused has asserted the right to a speedy trial ‘in due course’ requires a close examination of the procedural history of the case with particular attention to the timing, form, and vigor of the accused’s demands to be tried immediately.

Labbee, 362 Ga. App. at 568-69(2)(c) (cleaned up).

The trial court found that O’Donovan did not assert his constitutional right to a speedy trial until he filed his plea in bar on October 5, 2025, which was more than six years after his arrest. Given the length of that delay, the trial court did not abuse its discretion by weighing the third factor heavily against O’Donovan. See *id.* (holding that the trial court did not abuse its discretion by weighing the third factor heavily against the defendant because the defendant did not raise his constitutional right to a speedy trial until over five years after his arrest); *State v. Buckner*, 292 Ga. 390, 397(3)(c) (738 SE2d 65) (2013) (holding that the trial court did not abuse its discretion by weighing the third factor heavily against the defendant because the defendant waited almost four years after his indictment to invoke his right).

O’Donovan concedes that this factor was properly weighed against him but contends that the trial court erred by weighing it heavily against him in light of mitigating circumstances. Because O’Donovan did not raise this argument at any point in the proceedings below, and because he explicitly conceded at the plea in bar

hearing that this factor should weigh heavily against him, this argument is waived. See *Robertson v. State*, 287 Ga. App. 271, 273(4) (651 SE2d 198) (2007) (“[I]t is well settled that issues neither raised nor ruled on in the trial court cannot be raised for the first time on appeal.” (quotation marks omitted)).

(d) *Prejudice*.

The fourth *Barker-Doggett* factor requires courts to consider three interests: preventing oppressive pretrial incarceration, minimizing anxiety and concern of the defendant, and limiting the possibility that the defense will be impaired. Of these forms of prejudice, the most serious is the last, because the inability of a defendant adequately to prepare his case skews the fairness of the entire system.

In addition to the aforementioned three interests, courts must consider the length of delay in assessing prejudice. Once the threshold of presumptive prejudice is satisfied, a presumption of prejudice always exists, although it increases in weight over time. Consideration of prejudice is not limited to the specifically demonstrable, and affirmative proof of particularized prejudice is not essential to every speedy trial claim. But the weight given to the prejudice factor may be bolstered if the defendant can demonstrate some actual impairment to his defense in addition to prejudice that is presumed from the passage of time. Likewise, the weight given to presumed prejudice may be reduced or even eliminated if the State can show that the defense has not, in fact, been substantially impaired.

Labbee, 362 Ga. App. at 570-71(2)(d) (cleaned up).

The trial court concluded that O'Donovan did not suffer any prejudice as a result of the delay because he had presented no evidence of oppressive pretrial incarceration, anxiety or concern due to the delay, or harm to his defense. Nevertheless, the trial court failed to consider that O'Donovan was not required to make a showing of actual prejudice because the extraordinary six-year length of delay in this case raised the presumption of actual prejudice. See *Hester v. State*, 268 Ga. App. 94, 99(4) (601 SE2d 456) (2004) (“[T]he extraordinary five-year length of the delay raised the presumption of actual prejudice and thus did not require [the defendant] to make a specific showing of prejudice.”). Thus, the trial court erroneously placed on O'Donovan the initial burden of proving actual prejudice. See *Smereczynsky v. State*, 314 Ga. App. 73, 78(2)(d)(iii) (722 SE2d 892) (2012) (“[T]he extraordinary six-year delay raised the presumption of actual prejudice and [the defendants'] failure to make a particularized showing of their decreased ability to present a defense at trial must not be weighed heavily against them.” (cleaned up)).

In addition to failing to recognize the presumption of prejudice, the trial court made no finding as to whether the State rebutted this presumption, see *Labbee*, 362 Ga. App. at 571(2)(d) (explaining that the presumption of prejudice may be overcome

by a State showing that the defendant was not substantially impaired by the delay), and failed to specify the weight assigned to this factor, see *Foreman*, 371 Ga. App. at 843(1)(b) (explaining that a failure to specify the weight of a given factor amounts to an abuse of discretion), although it apparently assessed it against O'Donovan generally.

(e) *Balancing of the factors*. As explained above, the trial court incorrectly analyzed the first, second, and fourth *Barker-Doggett* factors, which requires us to vacate its order for further proceedings. See *Nelson v. State*, 321 Ga. 460, 469(2)(f) (915 SE2d 541) (2025) (vacating and remanding a trial court's denial of a defendant's motion to dismiss an indictment based on constitutional speedy-trial grounds because the trial court significantly misapplied the law and made clearly erroneous factual findings as to the first, second, and fourth *Barker-Doggett* factors); *Redding*, 318 Ga. at 232-33(2)(e) (vacating and remanding the trial court's denial of a defendant's speedy-trial motion because, "while the trial court may [have] be[en] authorized to deny [the defendant]'s speedy-trial motion after assigning weight and balancing anew the four factors in accordance with the applicable law[,] ... [it was not] necessarily compelled to do so"); *Porter*, 288 Ga. at 533-34(2)(e) (vacating and remanding because incorrect factual findings prevented the trial court from "properly balanc[ing]

the *Barker[-Doggett]* factors, and [thus,] the Court of Appeals could not properly affirm the trial court’s judgment”). Specifically, the trial court significantly misapplied the law with respect to the length-of-delay, reason-for-the-delay, and prejudice factors and made factual findings that were clearly erroneous with respect to the reason-for-the-delay factor. Although the trial court correctly assessed the third factor against O’Donovan, this factor alone cannot sustain the denial of his plea in bar. See *Ruffin v. State*, 284 Ga. 52, 55(2)(b) (663 SE2d 189) (2008) (“No one factor is ... a ... sufficient condition to the finding of a deprivation of the right to a speedy trial.” (quotation marks omitted)). Compare *Dillard*, 297 Ga. at 762(4) (affirming despite the trial court’s misapplication of the second *Barker-Doggett* factor because “it was incumbent upon the trial court to find no constitutional error given appellant’s long delay in asserting his right to a speedy trial and his failure to demonstrate prejudice”); *Labbee*, 362 Ga. App. at 572–74(2)(e).

Accordingly, we vacate the trial court’s order denying O’Donovan’s plea in bar on constitutional speedy-trial grounds and remand for application of the correct factual and legal analysis consistent with this opinion.

Judgment vacated and case remanded with direction. Davis and Whitaker, JJ., concur.