

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0278

ORIGINAL

STATE OF MONTANA,

Plaintiff and Appellee,

v.

BRENDEN KEITH O'HARA,

Defendant and Appellant.

FILED

SEP 9 2009

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

**MOTION FOR EXTENSION OF TIME**

COMES NOW, Koan Mercer, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until October 23, 2009, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 9th day of September, 2009.

OFFICE OF THE STATE PUBLIC DEFENDER  
Appellate Defender Office  
301 South Park, Room 568  
P.O. Box 200145  
Helena, MT 59620-0145

By: *Koan Mercer*

KOAN MERCER  
Assistant Appellate Defender

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

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DATED: September 9, 2009 