

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 17-0240

STATE OF MONTANA,

Plaintiff and Appellee,

v.

CHRISTOPHER WILLIAMS CHAVIS,

Defendant and Appellant.

**MOTION FOR EXTENSION OF TIME
WITH AFFIDAVIT IN SUPPORT**

COMES NOW, Chad Wright, Appellate Defender for the Appellate Defender Division (ADD), and respectfully requests an extension of time until February 20, 2018, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's sixth request for an extension. Appellant's opening brief was first due August 21, 2017. Appellant's opening brief is presently due January 19, 2018. ADD counsel has now been assigned and will need additional time to complete the brief. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 12th day of January, 2018.

OFFICE OF THE PUBLIC DEFENDER
APPELLATE DEFENDER DIVISION
555 Fuller Ave.
P.O. Box 200147
Helena, MT 59620-0147

By: /s/ Chad Wright
CHAD WRIGHT
Appellate Defender

[illegible]

I, Chad Wright, pursuant to Mont. Code Ann. § 1-1-203, declare:

1. I am a licensed, practicing attorney in the State of Montana,
and I am currently employed by the Appellate Defender Division,
(ADD), as an Appellate Defender.

2. Pursuant to ADD's statutory and constitutional obligations, cases are assigned to internal ADD attorneys or outside contract counsel. With a second round of budget cuts, the ADD has been advised that it must leave open current vacancies and restrict assignment of cases to outside counsel. At this point ADD is down two FTE attorney positions. I have assigned an ADD attorney who is best able to assume responsibility for the above-entitled appeal given the attorney's individual caseload.

3. Additional time will be needed for assigned counsel to be able to provide effective assistance of counsel.

4. Opposing counsel has been contacted concerning this motion and does not object.

/s/ Chad Wright
Chad Wright, Helena, MT

January 12, 2018
Date

CERTIFICATE OF SERVICE

I, Chad M. Wright, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed - Motion and Affidavit for Second or Subsequent Extension to the following on 01-12-2018:

Timothy Charles Fox (Prosecutor)
Montana Attorney General
215 North Sanders
PO Box 201401
Helena MT 59620
Representing: State of Montana
Service Method: eService

Scott D. Twito (Attorney)
217 North 27th, Rm. 701
P.O. Box 35025
Billings MT 59107
Representing: State of Montana
Service Method: E-mail Delivery

Electronically signed by Gerri Lamphier on behalf of Chad M. Wright
Dated: 01-12-2018