

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 17-0605

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JASON NEAL ROOD,

Defendant and Appellant.

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

COMES NOW, Lisa S. Korchinski, Assistant Appellate Defender for the Appellate Defender Division, and respectfully requests an extension of time until October 22, 2018, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's tenth request for an extension. Appellant's opening brief was first due December 20, 2017. Appellant's opening brief is presently due September 21, 2018. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 13th day of September, 2018.

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

By: /s/ Lisa S. Korchinski
LISA S. KORCHINSKI
Assistant Appellate Defender

STATE OF MONTANA)
 : ss.
County of Lewis and Clark)

I, Lisa S. Korchinski, in compliance with M. R. App. P. 26(2),
declare:

1. I am a licensed, practicing attorney in the State of Montana,
and am currently employed by the Office of State Public Defender,
Appellate Defender Division, as an Assistant Appellate Defender.

2. The Appellant's brief was first due on December 20, 2017.
On behalf of the Appellate Defender Division, Chad Wright, Appellate
Defender, filed seven (7) extension requests until July 23, 2018.

3. As an Assistant Appellate Defender I was assigned to handle
the above-entitled matter.

4. Currently, I have a total of seven opening briefs in my
caseload. I plan to work on cases with more numerous extensions and
in the order received.

5. I recently filed opening briefs in State v. McVay (DA 17-045)
and State v. Seter (DA 17-0097) and I am currently working on State v.
Mehan (DA 19-0197) (due September 30, 2018).

6. My remaining caseload includes: State v. Johnson (DA 17-0177); State v. Cramer (DA 17-0065); State v. Rindal (DA 17-0365), State v. Ralston (DA 17-0495); State v. Damon (DA 17-0582); and State v. Rood (DA 17-0605).

7. I have five cases awaiting response briefs from the Attorney General's Office

8. I have one case pending before the Court: State v. Heitkemper (DA 16-0478).

9. This is undersigned counsel's third request for an extension in this case and is the tenth extension request overall.

10. I am unable to complete the review, research and write the opening brief for this appeal in the remaining time.

11. I will continue to work diligently on the cases assigned to me.

12. Undersigned counsel requests an extension until October 22, 2018, to file the opening brief on appeal.

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

14. I declare under penalty of perjury that the foregoing is true and correct.

/s/ Lisa S. Korchinski
Lisa S. Korchinski, Helena, Montana

September 13, 2018
Date

CERTIFICATE OF SERVICE

I, Lisa S. Korchinski, 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 09-13-2018:

Edward J. Corrigan (Prosecutor)
920 South Main Street
Suite 201
Kalispell MT 59901
Representing: State of Montana
Service Method: eService

Timothy Charles Fox (Prosecutor)
Montana Attorney General
215 North Sanders
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Helena MT 59620
Representing: State of Montana
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Electronically signed by Kim Harrison on behalf of Lisa S. Korchinski
Dated: 09-13-2018