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COUNSEL FOR PLAINTIFF AND APPELLEE

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 18-0201

STATE OF MONTANA,

Plaintiff and Appellee,

v.

STEPHEN THOMAS,

Defendant and Appellant.

**UNOPPOSED MOTION FOR EXTENSION OF TIME
AND DECLARATION IN SUPPORT**

The Appellee, State of Montana, respectfully requests a 60-day extension of
time until June 2, 2020, in which to prepare, serve, and file its response brief in

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the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following Declaration.

Respectfully submitted this 24th day of March, 2020.

TIMOTHY C. FOX
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: /s/ Chris McConnell
CHRIS MCCONNELL
Assistant Attorney General

Pursuant to Mont. Code Ann. § 1-6-105, I, Chris McConnell, hereby declare as follows:

1. I am a licensed, practicing attorney in the State of Montana. I am currently employed by the Montana Department of Justice, Office of Attorney General, Prosecution Services Bureau, as an Assistant Attorney General.
2. In my capacity as Assistant Attorney General, the above-entitled matter was assigned to me on August 15, 2019.
3. The State's response brief is presently due on April 3, 2020. The brief was originally due on September 5, 2019. This is the State's seventh motion for extension of time.
4. Due to current workloads, I have not had time to sufficiently review and prepare a response in this matter.

5. My workload is as follows:

a. The undersigned has an active, criminal caseload throughout the State of Montana. For example, my caseload includes charged cases in Madison County (*State v. Bernardini*, DC-29-2018-35, deliberate homicide), Hill County (*State v. Gray*, DC-18-129-IN, negligent homicide), Missoula County (*State v. Haygood*, DC-19-352, negligent homicide), Yellowstone (*State v. Wagner*, DC-19-597, sex abuse of children, and *State v. Amann*, DC-14-0926, elder exploitation), as well as cases in Lewis and Clark County (*In re. Post*, CDJ 2020-3). These cases involve alleged white-collar crimes, crimes of violence, and sexual offenses.

b. The undersigned is also dealing with caring for an ill family member as well as providing childcare during the closure of Montana's school system.

c. The undersigned is also actively involved in reviewing criminal investigations throughout the State of Montana, including in areas of central, northcentral, and northeast Montana.

6. I will work diligently to complete the matter in the time requested, if not before.

7. Opposing counsel, Kristen Peterson, has been contacted and does not oppose this motion.

8. I hereby declare under penalty of perjury under the laws of the United States of America and the State of Montana that the foregoing is true and correct.

Respectfully submitted this 24th day of March, 2020.

/s/ Chris McConnell
CHRIS MCCONNELL

CERTIFICATE OF SERVICE

I, Christopher Rhodes McConnell, 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 03-24-2020:

Martin D. Lambert (Prosecutor)
1709 W. College
Bozeman MT 59715
Representing: State of Montana
Service Method: eService

Kristen Lorraine Peterson (Attorney)
Office of the Appellate Defender
555 Fuller Avenue
Helena MT 59620
Representing: Stephen D. Thomas
Service Method: eService

Electronically signed by Kimberly Wollitz on behalf of Christopher Rhodes McConnell
Dated: 03-24-2020