

IN THE SUPREME COURT OF THE STATE OF MONTANA
NO. DA 19-0584

STATE OF MONTANA,

Plaintiff and Appellee,

v.

NICK LENIER WILSON,

Defendant and Appellant.

MOTION FOR EXTENSION OF TIME
WITH AFFIDAVIT IN SUPPORT

COMES NOW, L. Amelia Swanson, contract attorney for the Appellate Defender Division (ADD) and respectfully requests an extension of time until June 19, 2020, to prepare, file, and serve Appellant's opening brief in the above-entitled matter. This is Appellant's fifth request for an extension. Appellant's opening brief was first due December 18, 2019. Appellant's opening brief is currently due April 20, 2020. Appellant submits the attached affidavit in support of this motion. Opposing counsel has been contacted and does not object to this motion.

Respectfully submitted this 13th day of April, 2020.

L. Amelia Swanson, Esq
P.O. Box 253
Helena, MT 59624

BY: /s/ L. Amelia Swanson

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

I, L. Amelia Swanson, in compliance with M. R. App. P. 26(2), declare:

1. I am a licensed, practicing attorney in the State of Montana and contract attorney for the Office of Public Defender, Appellate Defender Division.
2. Appellant’s Opening brief was due December 18, 2019. Chad Wright, Appellate Defender, filed four extensions; the final extension due April 20th, 2020.
3. On March 24, 2020, the Appellate Defender Division appointed me to take this appeal. Shortly thereafter I moved my office due to Covid 19 precautions.
4. On March 30, 2020, I submitted a request to opposing counsel for a 60 day extension to which they had no objections.
5. I need time to thoroughly review the transcripts from a two day trial, ten months of pretrial motions and hearings, research the law, consult with client and write the opening brief. Client is incarcerated in Shelby, Montana.
7. This is my first request for an extension; the fifth request overall.
8. I swear that the foregoing information is true and correct.

/s/ L. Amelia Swanson
L Amelia Swanson

April 13, 2020
Date

CERTIFICATE OF SERVICE

I, Lisa Amille Swanson, 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 04-13-2020:

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

Chad M. Wright (Attorney)
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Representing: Nick Lenier Wilson
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William E. Fulbright (Attorney)
205 Bedford St., Suite C
Hamilton MT 59840
Representing: State of Montana
Service Method: E-mail Delivery

Electronically Signed By: Lisa Amille Swanson
Dated: 04-13-2020