

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 19-0471

STATE OF MONTANA,

Plaintiff and Appellee,

v.

CARESSA JULL HARDY, aka
GLENN LEE DIBLEY,Defendant and Appellant.

**MOTION FOR EXTENSION OF TIME TO PRODUCE
TRANSCRIPTS ON APPEAL**

COMES NOW, Chad Wright, Appellate Defender, and respectfully requests an extension of time until December 1, 2020, in which to prepare, file, and serve the transcripts on appeal. This is the second extension request. The transcripts are presently due June 1, 2020. An affidavit from Court Reporter Cerece S. Parker is attached to this motion.

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

DATED this 19th day of May, 2020.

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

By: /s/ Chad Wright
CHAD WRIGHT
Appellate Defender

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 19-0471

STATE OF MONTANA,
Plaintiff and Appellee,

v.

CARESSA HARDY, a/k/a GLENN LEE DIBLEY,
Defendant and Appellant.

AFFIDAVIT

COMES NOW CERESE S. PARKER, RMR, CRR, Court
Reporter, and states:

1. That the Notice of Appeal in DA 19-0422
(Jarvey) was filed July 22, 2019, which was before the
Notice of Appeal was filed in this case of DA 19-0471
(Hardy).

2. That the Transcript of Appeal in DA 19-0422 (Jarvey) was ultimately due April 20, 2020, and was filed March 26, 2020.

3. That the Notice of Appeal in this case of DA 19-0471 (Hardy) was filed August 13, 2019, and the Transcript of Appeal is currently due June, 1 2020.

4. That Affiant is the court reporter who reported the hearings which took place September 20, 2017, and March 26, 2018, and May 7, 2018, and June 29, 2018, and August 10, 2018, and September 7, 2018, and October 29, 2018, and December 3, 2018, and December 21, 2018, and March 1, 2019, and March 8, 2019, and April 26, 2019, and that Affiant is the court reporter who reported the jury trial which took place May 6, 2019, and May 7, 2019, and May 8, 2019, and May 9, 2019, and May 10, 2019, and May 13, 2019, and May 14, 2019, and May 15, 2019, and May 16, 2019, and that Affiant is the court reporter who reported the hearing which took place June 21, 2019, in this case of DA 19-0471 (Hardy).

5. That Affiant started preparing this Transcript of Appeal in the case of DA 19-0471 (Hardy) after the Transcript of Appeal in the case of DA 19-0422 (Jarvey) was filed on March 26, 2020.

6. That the Notice of Appeal in DA 20-0266 (H.A.H.) was filed May 11, 2020, and that the Transcript of Appeal is due June 22, 2020, and that DA 20-2066 (H.A.H.) is a dependency and neglect case, which takes precedence over this case of DA 19-0471 (Hardy).

7. That Affiant is the court reporter who reported the hearings which took place August 22, 2017, and September 1, 2017, and October 5, 2017, and November 22, 2017, and December 14, 2017, and February 1, 2018, and March 8, 2018, and May 10, 2018, and May 31, 2018, and July 19, 2018, and September 13, 2018, and October 25, 2018, and February 28, 2019, and August 15, 2019, and December 19, 2019, and March 25, 2020, in the dependency and neglect case of DA 20-0266 (H.A.H.).

8. That Affiant has only been able to work on this Transcript of Appeal in DA 19-0471 (Hardy) between March 26, 2020, and May 11, 2020.

9. That Affiant expects that the earliest date that Affiant will be able to resume working on the Transcript of Appeal of this case of DA 19-0471 (Hardy) is June 22, 2020.

10. That Affiant estimates the Transcript of Appeal in this case of DA 19-0471 (Hardy) to be over 2,500 pages.

11. That Affiant believes preparing the Transcript of Appeal in this case of DA 19-0471 (Hardy) will take up to and including December 1, 2020, because of the length of this Transcript of Appeal.

DATED this 19th day of May, 2020.

Cerese S. Parker

Cerese S. Parker, RMR, CRR
Court Reporter
2800 Bancroft Street
Missoula, MT 59801-8646
(406) 544-2550
parkerics@aol.com

CERTIFICATE OF SERVICE

I, Chad M. Wright, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 05-19-2020:

Kirsten H. Pabst (Prosecutor)
200 W. Broadway
Missoula MT 59802
Representing: State of Montana
Service Method: eService

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

Shirley E. Faust (Clerk of District Court)
200 W Broadway
Missoula MT 59802
Service Method: eService
E-mail Address: sfaust@missoulacounty.us

Cerese Parker (Court Reporter)
200 West Broadway Street
Missoula MT 59802-4292
Service Method: eService
E-mail Address: ceparker@mt.gov

Electronically signed by Pamela S. Rossi on behalf of Chad M. Wright
Dated: 05-19-2020