

Cory J. Swanson  
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*Attorney for Appellee Broadwater Conservation District*

IN THE SUPREME COURT OF THE STATE OF MONTANA

TRACY FORTNER and MARCY FORTNER,	)	
	)	
	)	Case No.: DA-20-0391
	)	
Appellants,	)	
	)	<b>AFFIDAVIT IN SUPPORT OF</b>
v.	)	<b>APPELLEE’S UNOPPOSED</b>
	)	<b>SECOND MOTION FOR</b>
BROADWATER CONSERVATION DISTRICT,	)	<b>EXTENSION OF TIME TO FILE</b>
	)	<b>OPENING BRIEF</b>
	)	
Appellee.	)	
	)	
	)	

I, Cory J. Swanson, swear or affirm under oath that I am the Broadwater County Attorney, and Counsel for the Appellee Broadwater Conservation District. Up until March 15, 2021, I have been the sole attorney in the Broadwater County Attorney Office. On March 15, I hired a Deputy County Attorney for the first time in the history of the office.

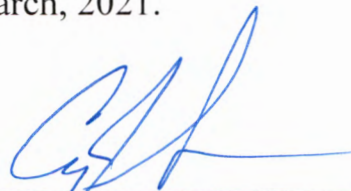
Prior to March 15, I was solely responsible for the criminal prosecution caseload of the office. Prior to March 15, I had a caseload of over 130 open

criminal cases, of which approximately 45 were misdemeanors and approximately 85 were felony cases. I also had approximately 25 pending felony cases for review and a charging decision, and 15 misdemeanor cases pending review. In addition, I am the legal counsel for Broadwater County on civil matters generally.

Due to this workload and the continual deadlines of criminal cases generally, I have been unable to meet the filing deadline of March 20, 2021 for the Appellee's opening brief, despite my diligence and efforts to devote time to this matter instead of pending criminal cases.

Since hiring a Deputy County Attorney and assigning the County civil work and misdemeanor criminal prosecution duties to her, I now have a more manageable caseload of approximately 90 open felony cases and 20 pending felony cases for review and charging decisions. In the next 30 days, I have one District Court felony jury trial, and I have a 4-day scheduled medical leave from the office. I am confident that I can complete the Appellee opening brief in the next 30 days and not request another extension.

Submitted under oath this 17<sup>th</sup> day of March, 2021.



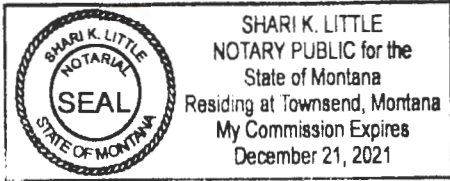
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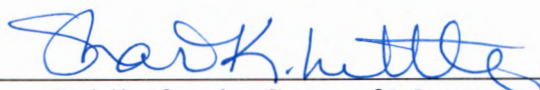
Cory J. Swanson  
Broadwater County Attorney  
Counsel for Appellee Broadwater  
Conservation District

State of Montana  
County of Broadwater

SIGNED AND SWORN (OR AFFIRMED) to before me on March 17, 2021.

by Cory J. Swanson.



  
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Notary Public for the State of Montana