

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 19-0471

STATE OF MONTANA,

Plaintiff and Appellee,

v.

CARESSA JILL HARDY, aka

GLENN LEE DIBLEY,

Defendant and Appellant.

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

COMES NOW, Tammy A. Hinderman Appellate Defender for the Appellate Defender Division, and respectfully requests an extension of time until November 1, 2021, 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 initially due December 31, 2020. Appellant's opening brief is presently due October 1, 2021. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 20th day of September, 2021.

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

By: /s/ Tammy A. Hinderman
TAMMY A. HINDERMAN
Assistant Appellate Defender

I, Tammy A. Hinderman, pursuant to M. R. App. P. 26(2) and Mont. Code Ann. § 1-1-203(1), declare:

1. I am a licensed, practicing attorney in the State of Montana. I am an Assistant Appellate Defender with the Appellate Defender Division of the Office of State Public Defender.

2. I was recently assigned to represent Appellant in *State v. Hardy*, DA 19-0471.

3. Appellant's opening brief was initially due December 31, 2020. The opening brief is currently due October 1, 2021. This is Appellant's tenth request for a 30-day extension of time to file the opening brief, but it is my first.

4. Since being assigned this matter, I have filed opening briefs in two juvenile matters, *Matter of V.K.B.*, DA 20-0430 and DA 20-0432. I am currently working on the opening brief in a double felony murder case, *State v. Hamm*, DA 20-0166, which is on a twelfth extension. The brief in that matter is currently due on October 7, 2021.

5. I am in substantial need of an extension. I will be unable to complete the opening brief within the previously allotted time. I need

additional time to review the extensive record in this matter, consult with Appellant, and write and edit the opening brief.

6. Appellant is currently incarcerated.

7. The State has been contacted and does not object to this extension request.

8. I declare under penalty of perjury that the above is true and correct.

/s/ Tammy A. Hinderman

Tammy A. Hinderman

September 20, 2021

Date

CERTIFICATE OF SERVICE

I, Tammy Ann Hinderman, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 09-20-2021:

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

Austin Miles Knudsen (Govt Attorney)
215 N. Sanders
Helena MT 59620
Representing: State of Montana
Service Method: eService

Electronically signed by Pamela S. Rossi on behalf of Tammy Ann Hinderman
Dated: 09-20-2021