

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 December 1, 2021, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's eleventh request for an extension. Appellant's opening brief was initially due December 31, 2020. Appellant's opening brief is presently due November 1, 2021. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 25th day of October, 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 have been 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 eleventh request for a 30-day extension of time to file the opening brief, but it is my second request.

4. I am in substantial need of an extension. Since my last request for an extension, I have completed the opening brief in *State v. Hamm*, DA 20-0166, which should be filed in the coming days. I also assisted with oral argument in *State v. Mosby* and edited a number of briefs for other attorneys in the office.

5. Appellant is currently incarcerated.

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

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

/s/ Tammy A. Hinderman

Tammy A. Hinderman

October 25, 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 10-25-2021:

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: 10-25-2021