

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 20-0577

STATE OF MONTANA,

Plaintiff and Appellee,

v.

RUSSELL KORTAN,

Defendant and Appellant.

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

COMES NOW, Rachel Inabnit (Pannabecker), Appellate Defender for the Appellate Defender Division (ADD), and respectfully requests an extension of time until January 25, 2022, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's 11th request for an extension. Appellant's opening brief was first due February 24, 2021. Appellant's opening brief is currently due December 27, 2021. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 13th day of December, 2021.

LAW OFFICE OF RACHEL INABNIT
P.O. Box 8846
Missoula, MT 59807

By: /s/ Rachel Inabnit
RACHEL INABNIT
Appellate Defender

STATE OF MONTANA)
 : ss.
County of Missoula)

I, Rachel Inabnit, in compliance with M. R. App. P. 26(2), declare:

1. I am a licensed, practicing attorney in the State of Montana, and I am currently a contract defender with the Appellate Defender Division, (ADD).

2. I recently accepted this case from the ADD to assist with their caseload, and the issues in this appeal are new and complex enough for me that I need additional time to research and examine them.

3. Additional time will be needed for me to be able to prepare and file appellant's opening brief and provide effective assistance of counsel.

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

/s/ Rachel Inabnit
Rachel Inabnit, Missoula, Montana

December 13, 2021
Date

CERTIFICATE OF SERVICE

I, Rachel Glenn Inabnit, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 12-13-2021:

Chad M. Wright (Attorney)
P.O. Box 200147
Helena MT 59620-0147
Representing: Russell Kortan
Service Method: eService

Brett Irigoin (Govt Attorney)
121 S Douglas Ave.
Glendive MT 59330
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: Rachel Glenn Inabnit
Dated: 12-13-2021