

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

Supreme Court No. DA 21-0130

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STATE OF MONTANA,

Plaintiff and Appellee,

v.

STEPHEN DEAN PRUITT,

Defendant and Appellant.

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**FIRST DECLARATION OF ABIGAIL ROGERS**

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Pursuant to Mont. Code Ann. § 1-6-105, I, Abigail Rogers, declare and state as follows:

1. I have personal knowledge of the facts set forth in this Declaration.  
  
I am over the age of 18 and am otherwise competent to testify. I represent Appellant in the above-captioned matter.
2. I am a licensed practicing attorney in the State of Montana. I work in private practice at ABIGAIL ROGERS LAW, PLLC located in Missoula, Montana.

3. In my private practice, I occasionally accept work as a contract and conflict-contract public defender for the Office of the State Public Defender and Appellate Defender Office.
4. In my capacity as a contract public defender, I have been assigned to handle this matter. My notice of appearance was filed on January 14, 2022.
5. Appellant's opening brief is currently due February 4, 2022. This is my first request for an extension of time.
6. Due to my current caseload and staffing shortage in my office, I need additional time to review the underlying record, discuss the merits of the appeal with the Appellant, conduct legal research, and draft the opening brief.
7. Such additional time is necessary to provide effective assistance of counsel and constitutes a substantial need for an extension.
8. I am requesting a 30-day extension until March 6, 2022, to prepare, serve, and file the opening brief.
9. I will work diligently to complete the matter in the time requested.
10. I contacted the Office of the Attorney General and they do not object to this Motion.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED this 1st day of February 2022.

ABIGAIL ROGERS LAW, PLLC

By: /s/ Abigail Rogers  
Abigail Rogers  
Attorney for Defendant-Appellant