

DECLARATION OF JOHN MILLS

1. I am counsel for Steven Wayne Keefe in *Keefe v. State*, DA 21-0409 currently pending before the Montana Supreme Court. I have primary responsibility for this representation.
2. While originally scheduled for November 1, 2021, after receiving several extensions of time, the State filed its Response on February 16, 2022. Mr. Keefe's reply brief is due on March 2, 2022. I have a number of obligations that conflict with the briefing schedule and make competently completing Mr. Keefe's brief by the present deadline impossible. On the same day the reply is currently due, March 2, 2022, I have a deadline for a petition for writ of certiorari at U.S. Supreme Court in a capital state post-conviction case. Additionally, I have a brief due at the Ninth Circuit Court of appeals in a case concerning juvenile life without parole due on February 28, 2022. On March 8, 2022, I also have a traverse due in a capital federal habeas petition case that implicates numerous issues and concerns multiple homicides. In light of these overlapping filing deadlines, additional time is needed to competently complete the reply briefing in Mr. Keefe's case.
3. These obligations are time-intensive and are in direct conflict with the present deadline and prevent me from competently addressing the issues raised in the State's brief.
4. I reached out to Roy Brown, counsel for the State, who consented to an extension.

I have had the opportunity to review and correct the foregoing page. The foregoing is true and correct and executed under penalty of perjury under the laws of the United States and the State of California on February 23, 2022.

/s/John Mills
JOHN MILLS