

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 21-0172

---

STATE OF MONTANA,

Plaintiff and Appellee,

v.

MITCHELL LEE JOYCE,

Defendant and Appellant.

---

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

---

COMES NOW, Michael Marchesini, Assistant Appellate Defender for the Appellate Defender Division (ADD), and respectfully requests an extension of time until April 20, 2022, 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 June 21, 2021. Appellant's opening brief is presently due March 21, 2022. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 2<sup>nd</sup> day of March, 2022.

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

By: /s/ Michael Marchesini  
MICHAEL MARCHESINI  
Assistant Appellate Defender



within the previously allotted time. I do not, however, anticipate needing any further extensions after this.

7. In addition to this case, I am counsel of record in the pending appeals of *State v. Green* (DA 20-0389), *State v. Pitkanen* (DA 20-0474), and *Matter of R.C.* (DA 21-0162).

8. I will work diligently to complete this matter in the time requested.

9. Counsel for the State does not object to this request.

10. I declare under penalty of perjury that the foregoing is true and correct.

/s/ Michael Marchesini  
Michael Marchesini, Helena, Montana

March 2, 2022  
Date

## CERTIFICATE OF SERVICE

I, Michael Marchesini, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 03-02-2022:

Scott Twito (Govt Attorney)  
Yellowstone County Attorney's Office  
PO Box 35025  
Billings MT 59107  
Representing: State of Montana  
Service Method: eService

Austin 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 Michael Marchesini  
Dated: 03-02-2022