

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 May 4, 2022, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's sixteenth request for an extension. Appellant's opening brief was initially due December 31, 2020. Appellant's opening brief is presently due April 4, 2022. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 28th day of March, 2022.

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 April 4, 2022. This is Appellant's sixteenth request for a 30-day extension of time to file the opening brief, but it is my seventh request since being assigned this matter.

4. Since my last extension request, I filed Appellant's Reply Brief in *Matter of V.K.B.*, DA 20-0430, a delinquency proceeding. I am also drafting Appellant's Reply Brief in *State v. Hamm*, DA 20-0166, which is due April 18, 2022.

5. I am in substantial need of an extension. Appellant was convicted of two counts of deliberate homicide and two counts of solicitation to deliberate homicide involving different incidents. I have

been working with the clerk of district court and opposing counsel on an issue regarding the record that has not yet been resolved. In addition, I need additional time to consult with my client and finish drafting and editing the opening brief.

6. Appellant is currently incarcerated.

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

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

/s/ Tammy A. Hinderman
Tammy A. Hinderman

March 28, 2022
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 03-28-2022:

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: 03-28-2022