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Attorney for William Michael Smith

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA-22-0580


IN RE THE MATTER OF:)	APPELLANT'S UNOPPOSED
)	MOTION FOR SECOND EXTENSION OF
PEGGY LEANN SMITH,)	TIME TO FILE INITIAL BRIEF
)	
Petitioner and Appellee,)	
)	
vs.)	
)	
WILLIAM MICHAEL SMITH,)	
)	
Respondent and Appellant.)	

Appellant, William Michael Smith, by and through counsel of record, moves the Montana Supreme Court pursuant to Rule 26 of the Appellate Rules of Procedure for a second extension to file his opening brief in the above captioned matter. The reason for this second request is that counsel has had an unexpected illness. Further, counsel for the Appellant has an out of state trip Wednesday through Monday when the brief is due. There should not be a need for any further extensions.

Opposing Counsel in this matter has been contacted regarding the request for the extension and has stated they agree to the Motion for an Extension to mid February, as the parties are continuing to discuss possible settlement of the matter.

1 DATED this 16th day of January, 2023.

2 SMITH LAW FIRM P.C.

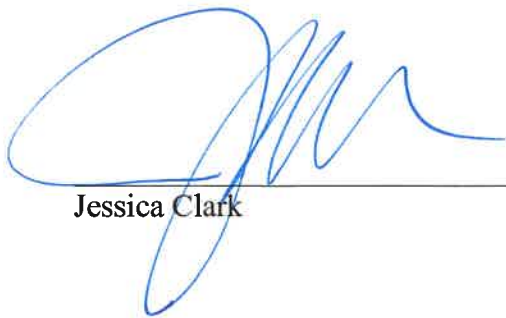
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4 By: 
5 Lewis K. Smith
6 Attorney for William Michael Smith

7 **CERTIFICATE OF SERVICE**

8 I hereby certify that a true and correct copy of the foregoing was e-mailed on the 16th day
9 of January, 2023 to the following:

10 Jamie J. McKittrick
11 Wells & McKittrick, P.C.
12 PO Box 9410
Missoula, MT 59807

13 Thomas H. Stanton
14 Wells & McKittrick, P.C.
15 PO Box 9410
Missoula, MT 59807

16 
17 Jessica Clark
18
19
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24
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CERTIFICATE OF SERVICE

I, Lewis Kelsey Smith, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 01-17-2023:

Jamie J. McKittrick (Attorney)
222 East Pine
Missoula MT 59807
Representing: Peggy Leann Smith
Service Method: eService

Thomas H. Stanton (Attorney)
222 East Pine
PO Box 9410
Missoula MT 59807
Representing: Peggy Leann Smith
Service Method: eService

Electronically Signed By: Lewis Kelsey Smith
Dated: 01-17-2023