

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court No. DA 21-0512

STATE OF MONTANA,

Plaintiff and Appellee,

v.

CLOVIS CHRISTOPHER GENO,

Defendant and Appellant.

**APPELLANT'S SECOND OR SUBSEQUENT MOTION
FOR EXTENSION OF TIME**

COMES NOW, Colin M. Stephens, counsel of record for Defendant and Appellant, and respectfully requests a 30-day extension of time to prepare, file and serve the Appellant's opening brief in the above-entitled matter. The Appellant's Opening Brief is currently due on February 25, 2023. This is Appellant's eighth extension request for the brief, but the sixth request by counsel, Colin M. Stephens.

Opposing counsel has been contacted concerning this motion and does not object.

Dated this 24th day of February 2023.

/s/ Colin M. Stephens
Colin M. Stephens
STEPHENS BROOKE, P.C.
Attorney for Defendant

STATE OF MONTANA)
 : ss.
County of Missoula)

I, Colin M. Stephens, pursuant to § 1-1-203, MCA, declare:

1. I am a licensed, practicing attorney in the State of Montana, and am currently employed at Stephens Brooke, P.C.

2. The Appellant's Opening Brief is currently due on February 24, 2023.

This is the Appellant's eighth request for an extension of time.

3. The undersigned made substantial progress reviewing the extensive record that spanned thousands of pages as well as additional documents from the Appellate Defenders. Counsel has discovered an additional research that needs researching before submitting a brief. In addition, counsel has determined that it is necessary to meet with and discuss with the impact of a potentially successful appeal with Mr. Geno before submitting a brief. For these reasons, counsel needs additional time to

draft and file the opening brief.

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

Dated this 24th day of February 2023.

/s/ Colin M. Stephens
Colin M. Stephens
STEPHENS BROOKE, P.C.
Attorney for Defendant

CERTIFICATE OF SERVICE

I, Colin M. Stephens, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 02-24-2023:

Austin Miles Knudsen (Govt Attorney)
215 N. Sanders
Helena MT 59620
Representing: State of Montana
Service Method: eService

David A. Buchler (Govt Attorney)
P.O. Box 73
100 W. Wallace Street
Virginia City MT 59755
Representing: State of Montana
Service Method: eService

Frank A. Piocos (Attorney)
Yellowstone County Public Defender's Office
P.O. Box 459
Billings MT 59103
Representing: State of Montana
Service Method: E-mail Delivery

Colin M. Stephens (Attorney)
315 W. Pine
Missoula MT 59802
Service Method: eService
E-mail Address: colin@smithstephens.com

Electronically signed by Daniel Kamienski on behalf of Colin M. Stephens
Dated: 02-24-2023