

**JAMIE J. MCKITTRICK**  
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Attorney for Petitioner

IN THE SUPREME COURT OF THE STATE OF MONTANA

<p>IN RE THE MARRIAGE OF:</p> <p><b>PEGGY LEANN SMITH,</b> Petitioner and Appellee,</p> <p>v.</p> <p><b>WILLIAM MICHAEL SMITH,</b> Respondent and Appellant.</p>	<p>Cause No. DA-22-0580</p> <p><b>APPELLEE’S UNCONTESTED MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF</b></p>
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COMES NOW the Petitioner, **Peggy Leann Smith** by and through her attorney of record, Jamie McKittrick and hereby moves the Court for a 30 day extension of the deadline to file Peggy’s *Opening Brief of Appellee*. The reason for this extension is due to counsel’s schedule as well as the fact that counsel had to request a copy of the underlying hearing transcript from March 11, 2022. When counsel began to review the file and exhibits, it became clear that Mr. Lewis Smith did not request the transcript from the initial hearing in this matter. This transcript is necessary to accurately reflect testimony provided regarding the issue on appeal.

Appellant’s counsel has been contacted regarding this motion and they do not object.

DATED this 7<sup>th</sup> day of March 2023

WELLS & MCKITTRICK, P.C.

  
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JAMIE MCKITTRICK  
Appellee’s Attorney

## **CERTIFICATE OF SERVICE**

I, Jamie J. McKittrick, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 03-07-2023:

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

Lewis Kelsey Smith (Attorney)  
PO Box 1691  
Helena MT 59624  
Representing: William Michael Smith  
Service Method: eService

Electronically Signed By: Jamie J. McKittrick  
Dated: 03-07-2023