

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 22-0042

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STATE OF MONTANA,

Plaintiff and Appellee,

v.

JOHNATHAN ALBERT BERTSCH,

Defendant and Appellant.

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

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COMES NOW, Gregory Hood, Assistant Appellate Defender for the Appellate Defender Division, and respectfully requests an extension of time until August 18, 2023, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's thirteenth request for an extension. Appellant's opening brief was initially due July 20, 2022. Appellant's opening brief is presently due July 19, 2023. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 5<sup>th</sup> day of July, 2023.

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

By: /s/ Gregory Hood  
GREGORY HOOD  
Assistant Appellate Defender

STATE OF MONTANA       )  
  : ss.  
County of Missoula       )

I, Gregory Hood, in compliance with M. R. App. P. 26(2), declare:

1.     I am a licensed, practicing attorney in the State of Montana, and am currently employed as an Assistant Appellate Defender.

2.     I have been assigned *State v. Bertsch*, DA 22-0042.

3.     Appellant's opening brief was first due on July 20, 2022, and is presently due on July 19, 2023. This is Appellant's thirteenth request for extension.

4.     I was assigned this case on March 1, 2023. I will be unable to complete the opening brief in this matter within the previously allotted time as I have been working on older, previously assigned cases. This case is currently my primary focus.

5.     The State does not object to this extension request.

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

/s/ Gregory Hood  
Gregory Hood, Missoula, Montana

July 3, 2023  
Date

## **CERTIFICATE OF SERVICE**

I, Gregory Nelson Hood, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 07-05-2023:

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

Kirsten H. Pabst (Govt Attorney)  
200 W. Broadway  
Missoula MT 59802  
Representing: State of Montana  
Service Method: eService

Electronically signed by Pamela S. Rossi on behalf of Gregory Nelson Hood  
Dated: 07-05-2023