

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 22-0364

STATE OF MONTANA,

Plaintiff and Appellee,

v.

SHANE MEDORE MAGGI,

Defendant and Appellant.

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

COMES NOW, Joshua James Thornton, Assistant Appellate Defender for the Appellate Defender Division, and respectfully requests an extension of time until October 5, 2023, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's eleventh request for an extension. Appellant's opening brief was first due November 2, 2022. Appellant's opening brief is currently due September 5, 2023. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 29th day of August 2023.

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

By: /s/ Joshua James Thornton
JOSHUA JAMES THORNTON
Assistant Appellate Defender

Querfurth (DA 22-0148), *State v. McElroy* (DA 22-0238), *State v. Johnston* (DA 22-0157), and *State v. Eby* (DA 22-0240). Opening briefs and reply briefs are pending in these cases.

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

7. I will work diligently to complete the matter in the time requested.

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

/s/ Joshua James Thornton
Joshua James Thornton,
Helena, Montana

August 29, 2023
Date

CERTIFICATE OF SERVICE

I, Joshua James Thornton, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 08-29-2023:

Kathryn McEnery (Govt Attorney)
409 Missouri Avenue
Deer Lodge MT 59722
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 Kim Harrison on behalf of Joshua James Thornton
Dated: 08-29-2023