

AUSTIN KNUDSEN
Montana Attorney General
BJORN BOYER
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401
Phone: 406-444-2026
bjorn.boyer@mt.gov

COUNSEL FOR PLAINTIFF AND APPELLEE

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 21-0513

STATE OF MONTANA,

Plaintiff and Appellee,

v.

TERRANCE ANTHONY ROBERTS,

Defendant and Appellant.

**UNOPPOSED MOTION FOR EXTENSION OF TIME
AND DECLARATION IN SUPPORT**

The Appellee, State of Montana, respectfully requests a 30-day extension of time until October 17, 2023, in which to prepare, file, and serve its response brief in the above-entitled matter.

In support of this motion, undersigned counsel submits the following Declaration.

Respectfully submitted this 8th day of September, 2023.

AUSTIN KNUDSEN
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: /s/ Bjorn Boyer
BJORN BOYER
Assistant Attorney General

DECLARATION

Pursuant to Mont. Code Ann. § 1-6-105, I, Bjorn Boyer, hereby declare as follows:

1. I am a licensed, practicing attorney in the State of Montana, and am currently employed by the Montana Department of Justice, Office of the Attorney General, Appellate Services Bureau, as an Assistant Attorney General.

2. The State's Appellee's brief is presently due on September 17, 2023, and this is the State's second request for an extension. I am requesting a 30-day extension of time until October 17, 2023, to file my brief.

3. Since the last extension in this matter, I have filed a response brief in *State v. K. Leonard*, DA 22-0455. I have also nearly completed a response brief in

State v. D. Wood, DA 21-0260, which involves a voluminous transcript and numerous appellate issues.

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

5. I will work diligently to complete the briefing within the requested period.

6. I hereby declare under penalty of perjury under the laws of the United States of America and the State of Montana that the foregoing is true and correct.

Respectfully submitted this 8th day of September, 2023.

/s/ Bjorn Boyer
BJORN BOYER

CERTIFICATE OF SERVICE

I, Bjorn E. Boyer, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 09-08-2023:

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

Deborah Susan Smith (Attorney)
555 Fuller Avenue
P.O. Box 200147
Helena MT 59620-0147
Representing: Terrance Anthony Roberts
Service Method: eService

Bjorn E. Boyer (Govt Attorney)
215 N SANDERS ST
HELENA MT 59601-4522
Service Method: eService
E-mail Address: Bjorn.boyer@mt.gov

Electronically signed by Janet Sanderson on behalf of Bjorn E. Boyer
Dated: 09-08-2023