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*Attorneys for Appellee Nakoa Heavy Runner*

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

IN THE MATTER OF THE ESTATE OF:	DA 23-0199
LYLE JAMES HEAVY RUNNER,  Deceased.	<b>UNOPPOSED THIRD MOTION FOR EXTENSION OF TIME TO FILE RESPONSE BRIEF</b>

Appellee Nakoa Heavy Runner, by and through his counsel of record, Faure Holden Attorneys at Law, P.C., respectfully requests a 30-day extension of time within which to file his Response Brief. The Response Brief is currently due on November 6, 2023, and Appellee requests up to and including December 6, 2023 to file his Response Brief.

This is the third extension requested. A Declaration is filed herewith.

Opposing counsel was contacted and does not oppose this motion.

DATED this 30<sup>th</sup> day of October, 2023.

FAURE HOLDEN ATTORNEYS AT LAW, P.C.

/s/ Jason T. Holden

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**IN THE SUPREME COURT OF THE STATE OF MONTANA**

IN THE MATTER OF THE ESTATE OF:	DA 23-0199
LYLE JAMES HEAVY RUNNER,  Deceased.	<b>DECLARATION OF JASON T. HOLDEN</b>

I, Jason T. Holden, in Cascade County, Montana and under penalty of perjury, declare as follows:

1. My name is Jason T. Holden, and I am counsel for the Appellee in the above entitled matter.
2. I am requesting an extension of time until December 6, 2023 within which to file the Response Brief in this matter.
3. This is the third request for an extension of time.
4. Appellant's Response Brief was first due on September 4, 2023.
5. While counsel has begun drafting the Response Brief, additional time is needed to review the record, trial court pleadings, and to conduct the necessary

research to respond to the Appellant's arguments.

6. Opposing counsel, Mr. Jones, was contacted and does not oppose this motion.

DATED this 30<sup>th</sup> day of October, 2023.

FAURE HOLDEN ATTORNEYS AT LAW, P.C.

*/s/ Jason T. Holden*

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Jason T. Holden

## **CERTIFICATE OF SERVICE**

I, Jason Trinity Holden, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 10-30-2023:

Bradley J. Jones (Attorney)  
P O Box 8202  
Missoula MT 59807  
Representing: Martina Heavy Runner  
Service Method: eService

Electronically Signed By: Jason Trinity Holden  
Dated: 10-30-2023