

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 22-0540

---

STATE OF MONTANA,

Plaintiff and Appellee,

v.

WILLIAM E. HAWKES,

Defendant and Appellant.

---

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

---

COMES NOW, Charlotte Lawson, Assistant Appellate Defender for the Appellate Defender Division, and respectfully requests an extension of time until December 28, 2023, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's twelfth request for an extension. Appellant's opening brief was first due November 28, 2022. Appellant's opening brief is currently due November 28, 2023. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 9th day of November 2023.

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

By: /s/ Charlotte Lawson  
CHARLOTTE LAWSON  
Assistant Appellate Defender

[illegible]

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

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

2. I began my employment with the ADD on September 5, 2023. On that day, I was assigned as counsel in this matter and two others: *State v. Puccinelli* (DA 22-0476) and *City of Missoula v. McNelley* (DA 22-0638).

3. Appellant's opening brief was first due on November 28, 2022. The brief is presently due November 28, 2023. This is Appellant's twelfth extension request but is the second extension request made by Appellant's current counsel. I am requesting an extension of thirty days to submit the opening brief.

4. I am in substantial need of an extension. I recently filed the opening brief in *State v. Puccinelli* (DA 22-0476), I performed substantial work on *City of Missoula v. McNelley* (DA 22-0638) before

identifying a jurisdictional problem necessitating the recent filing of a motion to dismiss the appeal without prejudice, and I have been drafting the opening brief in this matter while simultaneously working on *State v. Johnson* (DA 22-0714). I have substantially drafted the opening brief in this matter, but additional time is needed for internal review, revisions pursuant to that review, and consultation with Appellant.

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

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

7. I declare under penalty of perjury that the foregoing is true and correct.

/s/ Charlotte Lawson  
Charlotte Lawson,  
Helena, MT

November 9, 2023  
Date

## **CERTIFICATE OF SERVICE**

I, Charlotte Lawson, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 11-09-2023:

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 Kim Harrison on behalf of Charlotte Lawson  
Dated: 11-09-2023