

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 23-0101

STATE OF MONTANA,

Plaintiff and Appellee,

v.

ZACHARY MICHAEL NIELSEN,

Defendant and Appellant.

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

COMES NOW, Chad Wright, Appellate Defender for the Appellate Defender Division, and respectfully requests an extension of time until January 5, 2024, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's ninth request for an extension. Appellant's opening brief was first due April 7, 2023. Appellant's opening brief is currently due December 6, 2023. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 28th day of November 2023.

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

By: /s/ Chad Wright
CHAD WRIGHT
Appellate Defender

[illegible]

I, Chad Wright, 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 the Appellate Defender Division Administrator.

2. ADD has now filled its open vacancy and continues to use more contract attorneys to address its backlog. I am attempting to identify which ADD or contract attorney is best able to assume responsibility for the above-entitled appeal given the attorney's individual caseload.

3. Additional time will be needed for assigned counsel to be able to provide effective assistance of counsel.

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

/s/ Chad Wright
Chad Wright, Helena, MT

November 28, 2023
Date

CERTIFICATE OF SERVICE

I, Chad M. Wright, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 11-28-2023:

William E. Fulbright (Govt Attorney)
205 Bedford St #C
Hamilton MT 59840
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 Stefanie Moore on behalf of Chad M. Wright
Dated: 11-28-2023