



ORIGINAL



FILED

01/04/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 23-0700

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA 23-0700

JOSEPH H. SCHMAUS & TRACI SCHMAUS,
Husband and Wife,

Appellants,

v.

SKYLER WILLARD, LACIE WILLARD,
Individually and on behalf of R.C.R.W.,
R.A.W., and A.L.W., minor children

Appellees.

FILED

JAN 04 2024

Bowen Greenwood
Clerk of Supreme Court
State of Montana

MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF

On Appeal from the Montana First Judicial District Court, Lewis and Clark County

APPEARANCES:

Joseph H. and Traci J. Schmaus
53 Skihi Peak Dr.
Clancy, MT 59634
(406) 437-4534
joeschmaus@gmail.com
Appellants, Pro Se

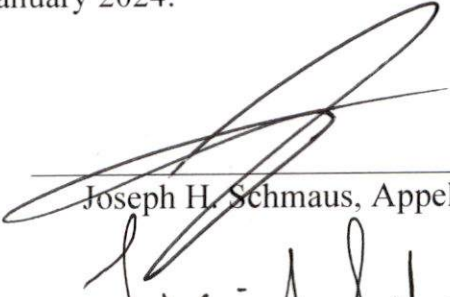
Jeffery M. Doud
3890 Encore Way
Helena, MT 59602

Pursuant to M.R. App. P. 26, Appellants, hereby move the Montana Supreme Court for a 30-day extension of time to file their opening brief on appeal. The current due date for Appellant's opening brief is ~~December~~ ^{January} 5, 2024.

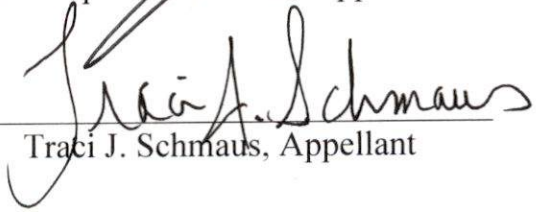
Because of numerous recent filings in the District Court by the Plaintiffs/Appellees which have required the immediate attention of the Defendants/Appellants, their filings in the matter and the seasonal closures of many state and local offices due to the holidays prohibiting Defendants/Appellants from conducting legal research and investigation of the matter, Appellants cannot possibly have their opening brief completed and filed with this Court by the current due date. Therefore, Appellant respectfully asks this Court for a 30-day extension of time to file their opening brief.

Appellants have contacted Appellees regarding this motion and Appellees have expressed to them that they oppose it.

Respectfully submitted this 4th day of January 2024.



Joseph H. Schmaus, Appellant



Traci J. Schmaus, Appellant

CERTIFICATE OF SERVICE

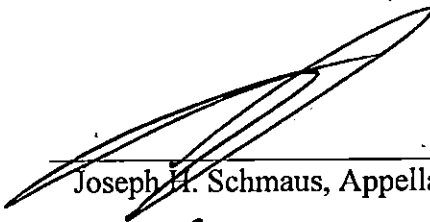
I hereby certify that on January 4, 2024, we filed a true and accurate copy of the foregoing *Motion for Extension of Time* with the Clerk of the Montana Supreme Court; and that we have served true and accurate copies of the same upon the following concern parties as indicated below:

Jefferey M. Doud
3890 Encore Way
Helena, MT 59602
jmdlawmt@gmail.com

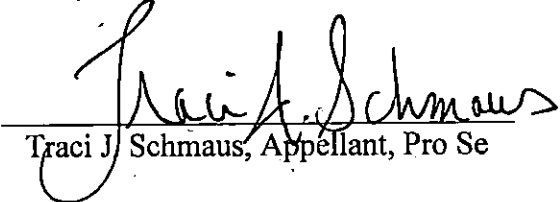
U.S. Mail/first class

Hand Delivery

EMAIL



Joseph H. Schmaus, Appellant, Pro Se



Traci J. Schmaus, Appellant, Pro Se