

02/28/2024

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 23-0692

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Attorney for Miriam Penado Appellant

## IN THE SUPREME COURT OF THE STATE OF MONTANA

MIRIAM PENADO

Petitioner and Appellant,

On behalf of Herself and A.A.H., born 2018 and  
A.M.H., born 2020,

v.

DANIEL HUNTER,

Respondent and Appellee.

Cause No. DA-23-0692

**STATEMENT UNDER PENALTY OF  
PERJURY**

COMES NOW, attorney Kevin E. Vainio, attorney for Petitioner / Appellant Miriam Penado, and requests an additional period of two weeks to complete the Opening Brief in the above-entitled matter for the reason that counsel has had an appellate brief to complete in another matter and the parties in this case had an emergency hearing today which took longer than expected. Consequently, counsel needs additional time to complete this brief and asks that the date be extended to March 13, 2024.

The office of Respondent's counsel emailed opposing counsel Mr. Bowen concerning this Motion Respondent's Counsel Mr. Bowen does oppose this Motion.

Dated this 28<sup>th</sup> day of February 2024


Kevin E. Vainio,  
27 West Park Street  
Butte, Montana 59701  
Attorney for Plaintiff / Appellant

## VERIFICATION

Verification by Swon Statement Under Penalty of Perjury.

I, Kevin E. Vainio, declare under penalty of perjury that the foregoing is true and correct.

Dated this 19<sup>th</sup> day of February 2024 at Butte Montana.

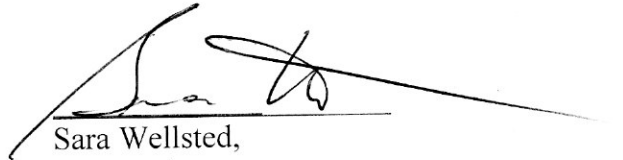


Kevin E. Vainio

## CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing MOTION FOR EXTENSION OF TIME with the Clerk of the Montana Supreme Court and that I have served true and accurate copies, and each party not represented by an attorney in the above-referenced District Court action as follows:

Charles P. Bowen, ESQ.  
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cbowen@cbowenmt.net



Sara Wellsted,  
Paralegal to,  
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