

03/01/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 24-0068

Form 26

Samuel V. Tintinger pro se
 Name
57808 Hotsprings Dr.
Hotsprings MT 59845
 City State Zip
stintinger79@gmail.com
 [e-mail address]
pro se Appellant
 [Designation of party]

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 24-0068

[to be assigned by Clerk of Supreme Court]

Filed

MAR - 1 2024

Bowen Greenwood
Clerk of Supreme Court
State of MontanaSamuel V. Tintinger,

Appellant,

**MOTION FOR
EXTENSION OF TIME**

v.

Ashley L. Tintinger,

Appellee.

[Use this form to ask the Court for more time to file a brief or other document.]

I move the Court for 30 days of additional time to:

☒ File an opening brief on appeal. [M. R. App. P. 26]

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☐ File a response brief. [M. R. App. P. 26]

☐ File a _____.

The current due date is _____, 20_____.

If this is a second or subsequent request for an extension of time, you must explain the reason the extension is needed. You must also state a good reason why you need the extension of time. [Rule 26(2)]

Briefly explain the reason you need additional time:

_____.

I have contacted opposing counsel or _____ who
[Name of party representing himself or herself]
is not represented by counsel, and

☒ there is no objection to the motion.

☐ there is an objection to the motion.

[M. R. App. P. 16, 26]

☐ I am incarcerated and not required to contact opposing counsel.

DATED this 1 day of March, 2024.

[Signature]

Samuel V. Tintinger
[Print name]



CERTIFICATE OF SERVICE

I certify that I have filed this **Motion for Extension of Time** with the Clerk of the Montana Supreme Court and that I have mailed or hand delivered a copy to each attorney of record and any party not represented by counsel as follows:

Layla Turman
[Name of opposing counsel]

P.O. Box 3493

Missoula, MT 59806
[Address]

Counsel for Ashley L. Tintinger

[Other party representing himself or herself]

[Address]

SW. J. J.
[Name]
Samuel V. Tintinger
[Print name]



From: **Samuel Tintinger** <stintinger79@gmail.com>
Date: Wed, Feb 28, 2024, 3:17 PM
Subject: Motion for extension of time
To: layla@kindredlegalpllc.com <layla@kindredlegalpllc.com>

Good afternoon Ms. Turman,

This is Samuel Tintinger, pro se appellant in DA 24-0068.

I hope it is safe to assume you have received the notice of filing in this case. This case is an appeal to the Supreme Court of the State of Montana, case DR-23-811, in which you are the attorney of record for the Petitioner, Ashley Tintinger.

I intend to file a motion pro se requesting the court grant me an extension of time to file my Appellant's Brief. The reason I am asking for this extension is because I am attempting to find proper legal representation.

As an attorney, I am sure you would agree that if one expects to prevail in a court of law, proper legal counsel from a competent attorney is essential.

I hope you will please allow me the opportunity to find pro bono legal representation. The legal fees associated with an undertaking such as this are so high that it is utterly impossible for me to hire a private attorney by paying the retainer. Montana Legal Services does offer low income patrons free legal assistance in parenting plan cases, but the organization has a strict policy against offering legal assistance in Order of Protection cases.

I am a Marine. I am hopeful that if I am granted more time, an attorney who is also a member of the United States Marine Corps will stand with me as I defend my honor, and defend my rights, with dignity, in the court system that we Marines uphold and defend.

Thank you for your consideration.

Sincerely,

Mr. Samuel V. Tintinger

On Wed, Feb 28, 2024 at 4:59 PM Samuel Tintinger <stintinger79@gmail.com> wrote:
Good evening Ms. Turman,

Thank you for returning my call.

Thank you for letting me know that you do not oppose me requesting more time to write my brief.

Thank you for letting me know you do not oppose me requesting that District Court Judge Leslie Halligan review this decision.

I plan to request that the matter be opened for a second hearing before Judge Halligan so that I may be granted the opportunity to present my testimony adequately.

As you may remember, I informed the court that I have suffered brain trauma, which causes me to have difficulty with communication. You objected to my request to be assisted by my girlfriend Elizabeth Runkle, acting as a communications liason.

I hope you will not object to another hearing being held where further evidence may be entered into this case.

If I am permitted to enter a reasonable and complete testimony, the judge will be able to make a fully informed decision. Presently, I have been denied due process of law.

I will be requesting in my motion that Judge Amy Rubin be removed from this case and related case DR-21-46. I will be asking for a new and complete hearing before Judge Halligan.

I do not know if you had intended to represent Ms. Tintinger in the anticipated Parenting Plan hearing(s).

I intend to petition the Supreme Court to combine the two matters into one hearing, as was suggested by Standing Master Rubin, in the preliminary discussions regarding possible postponement of the Order of Protection hearing.

To summarize, do you object to the following?

1. Moving this matter back to District Court in Missoula County.
2. Referral of this case to District Court Judge Leslie Halligan.
3. Opening up the now Permanent Order of Protection for a new and complete hearing before Judge Halligan.
4. Asking that an amendment of the parenting plan hearing and a new and complete hearing on the Order of Protection be combined into one hearing.

Thank you so much for taking the time to consider my requests. I hope you find no reason to oppose them.

Please call me if you have any questions.

Thank you kindly,

Samuel V. Tintinger

From: **Layla Turman** <layla@kindredlegalpllc.com>

Date: Thu, Feb 29, 2024, 9:20 AM

Subject: Re: Motion to change venues

To: Samuel Tintinger <stintinger79@gmail.com>

Samuel,

I do not object to your request for an extension of time to file your opening appeal brief. I do not object to Leslie Halligan hearing this case, if the Montana Supreme Court orders it to her court on remand. We will likely have objections to your remaining requests. However, I will probably need to address those in more depth in our response to your opening brief.

Thank you. Also, I represent Ms. Tintinger through my employment with ASUM Legal Services. In the future, please use the following contact information for all future correspondence in this case. That will ensure you receive a prompt response. Thank you.

Email: layla.turman@mso.umt.edu

Phone: (406) 243-5759

Mailing Address:

ASUM Legal Services

University Center, Room 116

32 Campus Drive

Missoula, MT 59812