

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 23-0044

STATE OF MONTANA,

Plaintiff and Appellee,

v.

TYLER BRANDON MATTHEWS,

Defendant and Appellant.

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

COMES NOW, Jennifer Penaherrera, Assistant Appellate Defender for the Appellate Defender Division, and respectfully requests an extension of time until September 20, 2024, in which to prepare, file, and serve Appellant's opening brief in the above-entitled matter. This is Appellant's fourteenth request for an extension. Appellant's opening brief was first due February 22, 2023. Appellant's opening brief is currently due July 22, 2024. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 15th day of July 2024.

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

By: /s/ Jennifer Penaherrera
JENNIFER PENAHERRERA
Assistant Appellate Defender

4. I am in substantial need of an extension. I am working diligently on drafting the opening brief for this case. Since the last extension was granted, I completed the *Anders* brief for *Henry*, reviewed this case, and researched the relevant law. I will be unable to complete the brief in this matter within the remaining time allotted.

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/ Jennifer Penaherrera
Jennifer Penaherrera, Helena, MT

July 15, 2024
Date

CERTIFICATE OF SERVICE

I, Jennifer Lynn Penaherrera, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 07-15-2024:

Austin Miles Knudsen (Govt Attorney)
215 N. Sanders
Helena MT 59620
Representing: State of Montana
Service Method: eService

Scott D. Twito (Govt Attorney)
PO Box 35025
Billings MT 59107
Representing: State of Montana
Service Method: eService

Electronically signed by Kim Harrison on behalf of Jennifer Lynn Penaherrera
Dated: 07-15-2024