

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 24-0014

STATE OF MONTANA,

Plaintiff and Appellee,

v.

KENNETH WESLEY - HERBERT ROWE,

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 November 4, 2024, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's eighth request for an extension. Appellant's opening brief was first due May 3, 2024. Appellant's opening brief is currently due October 3, 2024. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 24th day of September 2024.

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

September 24, 2024
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 09-24-2024:

Scott D. Twito (Govt Attorney)
PO Box 35025
Billings MT 59107
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 Kim Harrison on behalf of Chad M. Wright
Dated: 09-24-2024