

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 22-0567

STATE OF MONTANA,

Plaintiff and Appellee,

v.

LESLIE ERNST,

Defendant and Appellant.

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

COMES NOW, Gregory E. Paskell, Appellate contract attorney for the Appellate Defender Division, and respectfully requests an extension of time until November 7th., 2024, in which to prepare, file, and serve the Appellant's **reply** brief in the above-entitled matter. The Appellant was served the response brief on the 23rd., day of September 2024. This is Appellant's first request for an extension to file his reply brief. Appellant's reply brief is currently due October 7th., 2024. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 27th. day of September 2024.

/s/ Gregory E. Paskell
GREGORY E. PASKELL
Attorney At Law
21500 Cypress Way, Ste. C
Lynnwood, WA 89036

STATE OF MONTANA)
 : ss.
County of Flathead)

I, Gregory E. Paskell, 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 a contract Appellate Defender.

2. Having recently been served the opposing parties response brief to the Appellant's opening brief and given the complex argument made by the Appellee, the undersigned will need more time than the appellate rules provide to respond than the initial 14 days. The list of cases cited in the response brief will require an extended amount of time to read and evaluate. He anticipates that this additional 30 days will allow him to complete his reply brief and forward same to this client for his comment and then subsequently file same prior to the next deadline. The total amount of time to complete this task will be 30 additional days.

3. This additional time will be needed for assigned counsel to be able to provide effective assistance of counsel. I am requesting currently an extension of 30 days.

4. Opposing counsel has been contacted concerning this motion and does not object.

/s/ Gregory E. Paskell
Gregory E. Paskell

September 27, 2024
Date

CERTIFICATE OF SERVICE

I, Gregory E. Paskell, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 09-27-2024:

Chad M. Wright (Attorney)
P.O. Box 200147
Helena MT 59620-0147
Representing: Leslie Dean Ernst
Service Method: eService

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

Christine M. Hutchison (Govt Attorney)
215 N. Sanders
Helena MT 59601
Representing: State of Montana
Service Method: eService

Electronically Signed By: Gregory E. Paskell
Dated: 09-27-2024