

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 23-0671

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STATE OF MONTANA

Plaintiff and Appellee,

v.

KYLE ROY SILVEY,

Defendant and Appellant.

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**MOTION FOR EXTENSION OF TIME**

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COMES NOW, Robin A. Meguire, counsel of record for the Appellant, and respectfully requests an extension of time, until January 21, 2025, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. The brief is currently due December 205, 2024. This is undersigned's first request for an extension of time, however, the Appellate Defender Office has received ten prior extensions. Accordingly, undersigned submits the affidavit below in support of this motion.

Opposing counsel has been contacted and has no objection.

/s/ Robin Meguire

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ROBIN A. MEGUIRE  
meguirelaw.com  
P.O. Box 1845  
Great Falls, MT 59403-1845

STATE OF MONTANA            )  
  : ss.  
County of Cascade            )

I, Robin Meguire, being first duly sworn upon my oath, depose and state as follows:

1.     I am a licensed, practicing attorney in the State of Montana and currently work as contract counsel for the Office of State Public Defender, Appellate Defender's Office.
2.     In my capacity as contract counsel for the Appellate Defender's Office, I was assigned to handle the above-entitled matter on November 25, 2024, but did not receive a hard copy of the file until a few days later.
3.     The Appellant's Opening Brief is currently due December 20, 2024. Appellant has filed ten prior requests for extension.
4.     As shown below, I have exercised diligence and have substantial need for the extension.
5.     I have attempted to correspond with my client via first class mail, but have not yet spoken or corresponded with him.
6.     Despite giving priority to this case, I have not yet had an opportunity to review the transcripts or district court record, or perform the legal research necessary to draft the Opening Brief.

7. With the holiday break coming up, I need additional time to complete my review of the transcripts and record, conduct legal research, and draft the Opening Brief.

8. For these reasons, I cannot meet the present deadline for filing the Appellant's Opening Brief.

9. I will work diligently to complete the matter in the additional 30 days requested.

10. Opposing counsel does not object to this motion.

11. Further your affiant sayeth naught.

12. I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robin Meguire  
ROBIN A. MEGUIRE

## **CERTIFICATE OF SERVICE**

I, Robin Amber Meguire, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 12-12-2024:

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

Matthew C. Jennings (Govt Attorney)  
200 W. Broadway  
Missoula MT 59802  
Representing: State of Montana  
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Tammy Ann Hinderman (Attorney)  
Office of State Public Defender  
Appellate Defender Division  
P.O. Box 200147  
Helena MT 59620  
Representing: Kyle Roy Silvey  
Service Method: eService

Electronically Signed By: Robin Amber Meguire  
Dated: 12-12-2024