

Michael Doggett
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Attorney for Respondent/Appellant

IN THE SUPREME COURT OF THE STATE OF MONTANA

JOSEPH RYAN BOESHANS,) DA-24-0549
)
Appellant,) AFFIDAVIT OF MICHAEL
) DOGGETT
vs)
)
HEIDI MARIE BOESHANS,)
)
Appellee,)

STATE OF MONTANA)
 :
 COUNTY OF MISSOULA)

1. My name is Michael Doggett, and I am the attorney for Appellant. I make this Affidavit based upon my own knowledge and information.

2. The Appellant's initial brief is currently due on January 4, 2025. Pursuant to Rule 3 of the Montana Rules of Appellate Procedure, the brief is actually due January 6, 2025 because January 4, 2025 is a Saturday.

3. Although there have been requests for extensions of time to file the initial appellate brief in this case, there have not been any requests for extensions since the filing of the record on appeal.

4. Throughout November and December, 2024, I had a serious illness that made it difficult, and at times impossible, to complete legal work. After two rounds of antibiotics and other treatments to combat an infection that my immune system was having difficulty fighting on its own, the illness appears to be subsiding.

5. Therefore, I request an additional 30 days to file the appellant's initial brief due to my illness.

6. I also request an extension to determine the status of counsel for the Appellee.

7. On December 16, 2024, I received the attached email marked as Exhibit 1. I have redacted the portions that are irrelevant to this Affidavit. However, in the email opposing counsel indicates that a different attorney will be handling the appeal. I have redacted that attorney's name because I have not heard from that attorney, although I have no reason to doubt Appellee's current counsel's representations that another attorney will be handling this appeal.

8. Because of the confusion created by Appellee, I do not know who to contact or serve regarding this appeal. Presumably, Appellee wants to file a response brief, but I do not know if she wants to proceed with a different attorney or *pro se*.

9. Therefore, I request an extension for a second reason – so that I can also determine the status of Appellee's representation.

DATED this 1st day of January, 2025

/S/ MICHAEL C. DOGGETT *Michael Connor Doggett*

MICHAEL C. DOGGETT

SUBSCRIBED AND SWORN to before me this 1st day of January, 2025, by
MICHAEL C. DOGGETT.



A handwritten signature in blue ink, appearing to read "Sergio Silva", positioned above a horizontal line.

Notary Public for the State of Florida

Notarized remotely online using communication technology via Proof.