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COUNSEL FOR PLAINTIFF AND APPELLEE

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 23-0305

STATE OF MONTANA,

Plaintiff and Appellant,

v.

NEIL DENNIS COLE,

Defendant and Appellant.

**UNOPPOSED MOTION FOR EXTENSION OF TIME
AND DECLARATION IN SUPPORT**

The Appellee, State of Montana, respectfully requests a 30-day extension of time until February 12, 2025, in which to prepare, file, and serve its response brief

in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following Declaration.

Respectfully submitted this 2nd day of January, 2025.

AUSTIN KNUDSEN
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: /s/ Cori Losing
CORI LOSING
Assistant Attorney General

DECLARATION

Pursuant to Mont. Code Ann. § 1-6-105, I, Cori Losing, hereby declare as follows:

1. I am a licensed, practicing attorney in the State of Montana, and am currently employed by the Montana Department of Justice, Office of Attorney General, Appellate Services Bureau, as an Assistant Attorney General.
2. In my capacity as Assistant Attorney General, I have been assigned to handle the above-entitled matter.
3. The State's Appellee's brief was originally due on December 12, 2024, and is presently due on January 13, 2025. This is the State's second Motion

for Extension of Time, and the State is requesting a 30-day extension to file the State's brief.

4. I am currently drafting the State's response in this case but, due to my workload, I require an additional 30-day extension to conduct further research to finalize the brief. I spent the past 30-day extension drafting the State's responses in *State v. Alford*, DA 24-0250, filed on December 19, 2024, *State v. Charlie*, DA 23-0211, to be filed on January 2, 2025, and *Vaska v. Godfrey*, OP 24-0709, to be filed by January 10, 2025.

5. I will work diligently to complete the matter in the time requested.

6. Opposing counsel has been contacted and does not object.

7. I hereby declare under penalty of perjury under the laws of the United States of America and the State of Montana that the foregoing is true and correct.

Respectfully submitted this 2nd day of January, 2025.

By: /s/ Cori Losing
CORI LOSING

CERTIFICATE OF SERVICE

I, Cori Danielle Losing, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 01-02-2025:

Matthew C. Jennings (Govt Attorney)
200 W. Broadway
Missoula MT 59802
Representing: State of Montana
Service Method: eService

Deborah Susan Smith (Attorney)
555 Fuller Avenue
P.O. Box 200147
Helena MT 59620-0147
Representing: Neil Dennis Cole
Service Method: eService

Electronically signed by LaRay Jenks on behalf of Cori Danielle Losing
Dated: 01-02-2025