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COUNSEL FOR THE STATE

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 23-0677

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JUAN ANASTASIO RODRIGUEZ,

Petitioner and Appellant,

v.

STATE OF MONTANA,

Respondent and Appellee.

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

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The Respondent, State of Montana, respectfully requests a 30-day extension of time until June 3, 2025, in which to prepare, file, and serve its response in the above-entitled matter.

In support of this motion, undersigned counsel submits the following Declaration.

Dated this 16th day of April, 2025.

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

By: /s/ Katie F. Schulz  
KATIE F. SCHULZ  
Assistant Attorney General

### **DECLARATION**

Pursuant to Mont. Code Ann. § 1-6-105, I, Katie F. Schulz, 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 Section, as an Assistant Attorney General.
2. In my capacity as Assistant Attorney General, I was assigned to handle the above-entitled matter.
3. The State's response is presently due on May 4, 2025. This is the State's second Motion for Extension of Time.

4. Due to my current workload, I have been unable to finalize the State's response brief and consult with the prosecuting attorney about this case.

5. Since being assigned this case, I have completed briefs for filing with this Court in the following cases: *State v. Gravelle*, Case No. DA 23-0441, filed March 19, 2025; *State v. Post*, Case No. DA 23-0368, filed March 21, 2025; *In re I.R.S., and M.W.A.H.*, Case No. 24-0633, filed March 28, 2025; *State v. Pillans*, DA 23-0371 (Supplemental Brief), filed April 10, 2025; *Allen v. State*, Case No. OP 25-0192, filed April 24, 2025; and *State v. Powell*, Case No. DA 24-0116, filed April 28, 2025.

6. Additionally, I have also been assigned to file response briefs in the following cases: *Johnson v. State*, Case No. OP 25-0212, due May 2, 2025; *State v. Carlson*, Case No. DA 24-0526, due April 25, 2025 (will be seeking an extension); *State v. Jackson*, Case No. DA 23-0048, due May 16, 2025; and *Boyden v. State*, OP 25-0048, due May 16, 2025.

7. I have also been assigned to file an answer in *Hansen v. Salmonsens*, Cause No. 23-70-GF-BMM in the United States District Court on May 16, 2025.

8. I will work diligently to complete the matter before the time requested.

9. Opposing counsel, Shandor Badaruddin, has been contacted and does not oppose this motion.

10. 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 16th day of April, 2025.

/s/ Katie F. Schulz  
KATIE F. SCHULZ

## **CERTIFICATE OF SERVICE**

I, Kathryn Fey Schulz, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 04-16-2025:

Joshua A. Racki (Govt Attorney)  
121 4th Street North  
Suite 2A  
Great Falls MT 59401  
Representing: State of Montana  
Service Method: eService

Shandor Badaruddin (Attorney)  
736 south third street west  
missoula MT 59801  
Representing: Juan Anastasio Rodriguez  
Service Method: eService

Electronically signed by Wendi Waterman on behalf of Kathryn Fey Schulz  
Dated: 04-16-2025