

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 23-0730

STATE OF MONTANA,

Plaintiff and Appellee,

v.

ALEJANDRO FLORES-REYES,

Defendant and Appellant.

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

COMES NOW, Emma N. Sauve, Assistant Appellate Defender for the Appellate Defender Division, and respectfully requests a 30-day extension of time until June 13, 2025, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's twelfth request for an extension. Appellant's opening brief was first due May 15, 2024. Appellant's opening brief is currently due May 14, 2025. Appellant submits the attached affidavit in support of this motion.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 6th day of May 2025.

OFFICE OF STATE PUBLIC DEFENDER
APPELLATE DEFENDER DIVISION
P.O. Box 200147
Helena, MT 59620-0147

By: /s/ Emma N. Sauve
EMMA N. SAUVE
Assistant Appellate Defender

I, Emma N. Sauve, pursuant to M. R. App. P. 26(2) and Mont. Code Ann. §§ 1-1-203(1), 1-6-105(1)(a), declare:

1. I am a licensed, practicing attorney in the State of Montana. I am employed by the Office of State Public Defender, Appellate Defender Division (ADD), as an Assistant Appellate Defender.

2. I have been assigned to represent the Appellant in *State v. Alejandro Flores-Reyes* (DA 23-0730).

3. Appellant's opening brief was first due May 15, 2024. The brief is currently due May 14, 2025.

4. This is Appellant's twelfth request for an extension. This is the second request for an extension since I personally took over the case. I am requesting an additional 30 days to file the opening brief.

5. To my knowledge, the appellant is incarcerated.

6. I am in substantial need of an extension. I have reviewed the record in this case, conducted legal research, and have written most of my opening brief. I still need to finish and edit my opening brief. I will be unable to complete the brief within the previously allotted time.

7. In addition to this case, I am counsel of record in the following pending appeals: *State v. Miner* (DA 23-0724), *State v. Kessler*

(DA 24-0166), *Matter of M.D.* (DA 23-0440), *State v. Speiser* (DA 24-0094), *State v. Trombley* (DA 24-0012), and *State v. Trombley* (DA 24-0013).

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

9. Counsel for the State does not object to this request.

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

/s/ Emma N. Sauve
Emma N. Sauve
Bozeman, Montana

May 6, 2025
Date

CERTIFICATE OF SERVICE

I, Emma Nelson Sauve, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 05-06-2025:

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
Service Method: eService

Tammy Ann Hinderman (Attorney)
Office of State Public Defender
Appellate Defender Division
P.O. Box 200147
Helena MT 59620
Representing: Alejandro Flores-Reyes
Service Method: eService

Electronically signed by Zoe McBride on behalf of Emma Nelson Sauve
Dated: 05-06-2025