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COUNSEL FOR PLAINTIFF AND APPELLEE

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 24-0325

STATE OF MONTANA,

Plaintiff and Appellee,

v.

ALAN RAY PIERCE,

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 November 26, 2025, in which to prepare, file, and serve its response brief in the above-entitled matter.

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

Dated this 15th day of November, 2025.

AUSTIN KNUDSEN
Montana Attorney General
Justice Bldg., 215 North Sanders
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 October 27, 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 the following response briefs for filing with this Court: *Ellsworth v. State*, Case No. OP 25-0546, filed September 19, 2025; *Ellison v. State*, Case No. DA 25-0172, filed September 22, 2025; *State v. Smith*, Case No. DA 23-0488, filed September 29, 2025; and *In re K.H. and D.H.*, Case No. DA 25-0386, to be filed before October 31, 2025. I also filed a motion to dismiss in *In re M.L.O.L.*, Case No. DA 25-0585, on October 7, 2025.

6. In addition, I have been assigned to file response briefs to this Court in the following cases: *State v. Ittner*, Case No. DA 25-0413, due October 24, 2025 (will be filing a motion for extension); *State v. Flores-Reyes*, Case No. DA 23-0730, due October 29, 2025; *State v. Charlie*, Case No. DA 23-0456, due October 31, 2025; *State v. Miller*, Case No. DA 24-0449, due November 4, 2025; *State v. Thomas*, Case No. 24-0115, due November 12, 2025; and *State v. Beckman*, Case No. DA 23-0726, due November 16, 2025.

7. Finally, I have also been assigned to file an Answer in the United States District Court case *Temple v. Godfrey*, Cause No. CV-25-83-GF-DLC, due December 29, 2025.

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

9. Opposing counsel, Justine Redeen, 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 15th day of November, 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 10-15-2025:

Jeanne Torske (Govt Attorney)
P.O. Box 908
Hardin MT 59034
Representing: State of Montana
Service Method: eService

Tammy Ann Hinderman (Attorney)
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Representing: Alan Ray Pierce
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Justin Redeen (Attorney)
PO Box 200147
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Representing: Alan Ray Pierce
Service Method: eService

Electronically signed by Janet Sanderson on behalf of Kathryn Fey Schulz
Dated: 10-15-2025