

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 25-302

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STATE OF MONTANA,

Plaintiff and Appellee,

v.

MICHAEL VINCENT HIGGINS,

Defendant and Appellant,

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

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COMES NOW, Shannon Sweeney, Attorney at Law, and respectfully requests a 60-day extension of time until February 20, 2026, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter, presently due December 22, 2025.

Opposing counsel has been contacted and has no objection.

Respectfully submitted this 19th day of December 2025.

By: /s/ Shannon Sweeney  
SHANNON SWEENEY  
Attorney at Law  
Attorney for Defendant & Appellant

Declaration under Penalty of Perjury:

I, Shannon Sweeney, pursuant to Mont. Code Ann. §1-6-105 declare under penalty of perjury and under the laws of the State of Montana that the foregoing is true and correct:

1. I am a practicing attorney, licensed in the State of Montana. I am in private practice and serve as Contract Counsel for the Office of the Appellate Defender.
2. I was accepted assignment of this cause, DA 25-302, December 10, 2025.
3. The Appellant's opening brief was first due June 23, 2025. The brief is presently due December 19, 2025.
4. This is Appellant's third extension requested in this Appeal, but the first request made by undersigned counsel.
5. I am requesting an extension of 60 days to submit Appellant's Opening Brief. I need additional time to review the record, conduct research and draft a brief on appeal, to review with Mr. Higgins, who is in custody.

6. The State/Appellee has been contacted and does **not object** to this request.

/s/ Shannon Sweeney  
Shannon Sweeney, Attorney at Law

December 19, 2025  
Date

## CERTIFICATE OF SERVICE

I, Shannon Leigh Sweeney, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 12-19-2025:

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

Audrey S. Cromwell (Govt Attorney)  
502 S 19th Ave  
Ste 102  
Bozeman MT 59715  
Representing: State of Montana  
Service Method: eService

Austin Miles Knudsen (Govt Attorney)  
215 N. Sanders  
Helena MT 59620  
Representing: State of Montana  
Service Method: eService

Electronically Signed By: Shannon Leigh Sweeney  
Dated: 12-19-2025