

AUSTIN KNUDSEN  
Montana Attorney General  
THAD TUDOR  
Assistant Attorney General  
215 North Sanders  
P.O. Box 201401  
Helena, MT 59620-1401  
406-444-2026  
thad.tudor@mt.gov

COUNSEL FOR PLAINTIFF AND APPELLEE

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 24-0252

---

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DONALD PAUL ROGERS,

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 March 2, 2026, 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 22nd day of January, 2026.

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

By: /s/ Thad Tudor  
THAD TUDOR  
Assistant Attorney General

### **DECLARATION**

Pursuant to Mont. Code Ann. § 1-6-105, I, Thad Tudor, 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 brief is presently due on January 30, 2026, and this is the State's second Motion for Extension of Time. The State is requesting a 30-day extension to file its Appellee's brief.

4. I have been unable to complete my brief in this case due to my workload. In the past month, I filed response briefs in *State v. Mayfield*, DA 24-0478, filed on December 22, 2025, *State v. Stewart*, DA 25-0574, filed on December 31, 2025, *State v. Caraveo*, DA 24-0067, filed on January 7, 2026, *State v. Boisclair*, DA 24-0569, filed on January 13, 2026, *State v. Alexander*, DA 24-0708 (Concession), filed on January 16, 2026, and *State v. Kulczyk*, DA 25-0099, to be filed next week.

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 22nd day of January, 2026.

By: /s/ Thad Tudor  
THAD TUDOR

## CERTIFICATE OF SERVICE

I, Thad Nathan Tudor, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 01-22-2026:

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

William E. Fulbright (Govt Attorney)  
205 Bedford St #C  
Hamilton MT 59840  
Representing: State of Montana  
Service Method: eService

Kristen Lorraine Peterson (Attorney)  
Office of the Appellate Defender  
555 Fuller Avenue  
Helena MT 59620  
Representing: Donald Paul Rogers  
Service Method: eService

Electronically signed by LaRay Jenks on behalf of Thad Nathan Tudor  
Dated: 01-22-2026