

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

State of North Dakota,
Plaintiff/Appellee,

Vs.

David Eugene Tully,
Defendant/Appellant.

Supreme Court No. 20220214

Nelson Co. No. 32-2022-CR-00029

[¶1] **COMES NOW**, the State of North Dakota, by and through it's counsel, Jayme Tenneson does hereby move to file late ordered transcripts.

[¶2] That upon drafting of the State's Brief it was discovered that the beginning of the Nelson County Master Calendar court days coinciding with this case were not transcribed. The State believes that absent this portion of the transcript this Court will not have an accurate transcript and that the State will be prejudiced by failing to provide the record in its entirety. The court reporter and the State were unaware of the importance of this portion of the transcript until the Defendant made his argument.

[¶3] The State has consulted with the Court reporter, Jodi Sherman from the Northeast Central District Court. Ms. Sherman will need approximately 1 day to complete the transcript.

[¶4] For the foregoing reasons, the State respectfully requests this Motion to File Late-Ordered Transcripts be granted.

Dated this 29th Day of September, 2022.

/s/Jayme Tenneson
Jayme Tenneson
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[¶1] I, Jayme Tenneson, a duly licensed attorney in the State of North Dakota, hereby certify that on the 29th day of September 29, 2022, I provided true and correct copies of the following:

- Motion to File Late-Ordered Transcripts
- Order for Transcripts
- Service Document

by electronic means through the court's electronic filing system, upon Benjamin Pulkrabek appellant, at pulkrabek@lawyer.com. The Supreme Court of North Dakota at supclerkofcourt@ndcourts.gov.

[¶3]Respectfully submitted this 29th day of September, 2022.

/s/Jayme Tenneson
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