

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

State of North Dakota,

Plaintiff/Appellee,

-vs-

Supreme Court No. 20220244

Benjamin Hannesson,

District Court No. 34-2018-CR-00202

Defendant/Appellant.

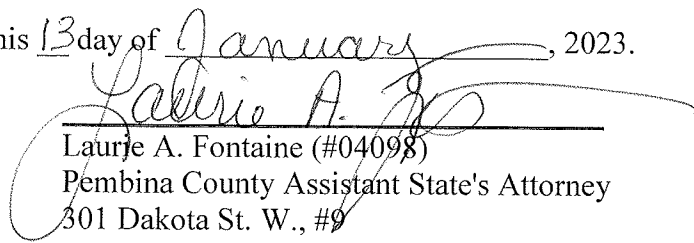
MOTION FOR ENLARGEMENT OF TIME

1) COMES NOW, the State of North Dakota, by and through Pembina County Assistant State's Attorney Laurie A. Fontaine, pursuant to Rule 26(b), N.D.R.App.P., and hereby moves the Court enlarge the time prescribed by the rules for Appellee to file the brief on appeal.

- a. Appellee's brief is presently due February 6, 2023
- b. No prior request has been made by the appellee for an extension in this case.
- c. This request is made for the following reasons: The current State's Attorney, Garret Fontaine, was just elected in 2022 and took over the Pembina County State's Attorney's Office January 3, 2023. In addition, he was out of the state until the 17th of January, 2023 and he is scheduled to attend the North Dakota State's Attorney's Conference January 18-20. He was not the attorney that handled the trial in this case and he will need additional time to properly respond. This motion is filed by the Assistant Pembina County State's Attorney Laurie A. Fontaine in the absence of the State's Attorney Garret Fontaine. The Assistant State's Attorney position is not a full time position.
- d. This Motion is made for good cause and not for delay.

2) WHEREFORE, Appellee seeks an order granting an enlargement of time to file the Appellee's Brief by March 6, 2023.

Respectfully submitted this 13 day of January, 2023.

A handwritten signature in cursive script, reading "Laurie A. Fontaine", written over a horizontal line. The signature is fluid and extends to the right of the line.

Laurie A. Fontaine (#04098)
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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF PEMBINA

NORTHEAST JUDICIAL DISTRICT

State of North Dakota,)
 Plaintiff/Appellee,)
 Vs.)
 Benjamin Hannesson,)
 Defendant/Appellee.)

CERTIFICATE OF SERVICE

Supreme Court No. 20220244

District Court No. 34-2018-CR-00202

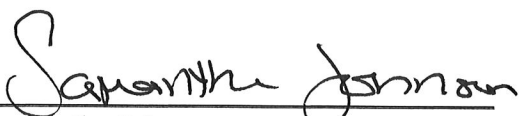
[¶1] I hereby certify I made service of the foregoing Motion for Enlargement of Time upon the following by delivering a true and correct copy of the same this 13th day of January 2023, by email:

Clerk of the Supreme Court
supclerkofcourt@ndcourts.gov

Peter B. Wold
Attorney for Defendant
pwold@wold-law.com

Garret Fontaine
Pembina County State's Attorney
pembinasa@nd.gov

Dated this 13th day of January, 2023


 Samantha Johnson
 Legal Assistant
 Pembina County States Attorney's Office
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