

IN THE SUPREME COURT, STATE OF NORTH DAKOTA

SUPREME COURT NO. 20220289
WARD COUNTY CRIMINAL NO. 51-2021-CR-00725

State of North Dakota,)	
Plaintiff/Appellee,)	
)	
vs.)	STATE'S MOTION FOR EXTENSION
)	OF TIME TO FILE APPELLEE'S
)	BRIEF
Susan K. Coons,)	
Defendant/Appellant.)	

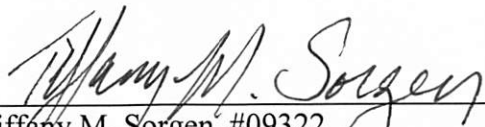
1. COMES NOW, the State of North Dakota, by and through Tiffany M. Sorgen, Attorney for the State of North Dakota in Ward County, does hereby request an extension of time to file Appellee's Brief. The continuance is sought due to Appellee having not yet received Appellant's Brief.

2. Appellee is aware there is an Affidavit of Service filed by Appellant's attorney on November 27, 2022 stating Appellee was served with the Appellant's Brief. However, Appellee has not received same. Further, while discussing same with Appellant's attorney's paralegal on December 12, 2022, your deponent learned Appellant's attorney in fact did not serve Appellant's Brief on Appellee. Also, Appellee's administrative assistant made inquiry of the IT departments of both Ward County and the North Dakota Supreme Court and was able to confirm Appellant's Brief was never served on Appellee.

3. As of the filing of this motion, a copy of Appellant's Brief has not been received despite several email and verbal requests for same.

4. Therefore, Appellee is requesting a continuation of time to respond to Appellant's Brief equivalent to 30 days from actual service of said brief upon Appellee.

5. Dated this 19th day of December, 2022.



Tiffany M. Sorgen, #09322
Assistant State's Attorney and Attorney for Appellee
Ward County, North Dakota

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OF THE STATE OF NORTH DAKOTA

State of North Dakota,)
) Supreme Court No. 20220289
 Plaintiff/Appellee,)
) District Court No. 51-2021-CR-00725
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 vs.)
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)
 Susan K. Coons,)
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)
 Defendant/Appellant.)

AFFIDAVIT OF SERVICE

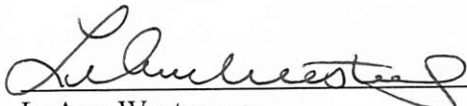
LeAnn Westereng, being first duly sworn, deposes and says:

That she is a citizen of the United States of America, over the age of twenty-one years, and is not a party to nor interested in the above entitled action; that on the 19th day of December, 2022, this Affiant provided a true and correct copy of the following documents in the above entitled action:

STATE'S MOTION FOR EXTENSION OF TIME TO FILE APPELLEE'S BRIEF

By electronic service to the following:

BENJAMIN C PULKRABEK
ATTORNEY FOR APPELLANT
pulkrabek@lawyer.com



LeAnn Westereng

Subscribed and sworn to before me this 19th day of December, 2022, by LeAnn Westereng



Notary Public

