

IN DISTRICT COURT

NELSON COUNTY

STATE OF NORTH DAKOTA

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| <p>State of North Dakota,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>David Mathew Walsh</p> <p style="text-align: center;">Defendant,</p> | <p>MOTION TO FILE LATE ORDERED TRANSCRIPTS AND FOR EXTENSION OF TIME TO FILE APPELLEE'S BRIEF</p> <p>CASE NO. 32-2022-CR-00002</p> |
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¶[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 Reply Brief it appears that the Defendant is making the argument that he was not read the rights to include restitution. The Defendant only ordered transcripts from the change of plea and sentencing and the restitution hearing. Based on the Defendant's argument the transcripts from the initial appearance and preliminary hearing are relevant since the argument is that the court didn't fully advise the Defendant of his rights. The State believes that absent these transcripts, 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 State was 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, Renae DeSautel from the Northeast Central District Court. Ms. DeSautel will need approximately two weeks to complete the transcript.

¶[4]The State would request approximately one week beyond the transcript deadline to complete the Appellee's brief.

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

Dated this 17th Day of January, 2022.

 /s/Jayne Tenneson
Jayme Tenneson
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IN DISTRICT COURT
DAKOTA

NELSON COUNTY

STATE OF NORTH

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| State of North Dakota, Plaintiff, v. Matthew Howard Walsh, Defendant, | CERTIFICATE OF SERVICE CASE NO. 32-2021-CR-00002 |
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[¶ 1] I hereby certify that on January 20, 2023 the following document:

Motion for Late-Filed Transcript

Order for Late-Filed Transcript

Certificate of Service

was filed electronically with the Clerk of the Supreme Court through Odyssey, and via email to Benjamin C. Pulkrabek at pulkrabek@counsellor.com

Dated this 20th day of January, 2023.

/s/ Jayme Tenneson
Jayme Tenneson
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