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IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,)	
)	No. 50087-2022
Plaintiff-Respondent,)	
)	Ada Co. Case No.
v.)	CR01-21-34839
)	
AARON ANSON VON EHLINGER,)	UNCONTESTED MOTION FOR
)	SECOND EXTENSION OF TIME
Defendant-Appellant.)	FOR FILING RESPONDENT’S
<hr/>)	BRIEF

Plaintiff-Respondent, State of Idaho, by and through the undersigned attorney, moves this Court for an order extending the time in which the state’s brief will be due until October 4, 2023. This motion is based on the affidavit of the undersigned attorney. Said affidavit is attached hereto and incorporated by reference herein.

DATED this 6th day of September, 2023.

/s/ Kenneth K. Jorgensen
KENNETH K. JORGENSEN
Deputy Attorney General

AFFIDAVIT

STATE OF IDAHO)
) ss
COUNTY OF ADA)

KENNETH K. JORGENSEN, being first duly sworn on oath, deposes and says:

- (1) The date on which the brief of the State of Idaho is due is September 6, 2023.
- (2) One extension of time has previously been granted.
- (3) An extension of time is requested inasmuch as the Office of the Attorney General, owing to the large volume of criminal appeals, has been unable to process all briefs and other filings within the established time limits, and would be unable to adequately research the issues involved in the case if an extension of time were not granted. During the past 28 days, I have filed and/or been involved in the research and writing of briefs and other pleadings in State v. Best, #50051, State v. Soliz, #49848, State v. Fueller, #50052, State v. Chavez, #49953, State v. Spencer, #49894, State v. Berryman, #50226, State v. Garrett, #50545, State v. Scott, ##50443/50444, State v. Van Rossum, ##50414/50415/50416, State v. Schultz, #50349, State v. Iacono, #50221, State v. Hill, #50299, State v. Leighton, #50304, State v. Waynewood, #50305, State v. Zamora, #50194, State v. Henneman, #50429, State v. Leonard, #50411, State v. Haddox, #49741, State v. Crofts, #50535, State v. Balderas, ##50101/50102, State v. Smith, #49845, and a Reply brief in Support of Petition for Writ of Certiorari in Idaho v. Dorff, No. 22-1226; I prepared for and presented oral argument in State v. Reyes, #49681, before the Idaho Court of Appeals, on August 22; I attended and presented at the 2023 IPAA Summer Conference, August 9 – 11; and, I have reviewed and edited the work product of other attorneys and paralegals in the Appellate Unit. I was also out of the office August 28 – September 1, 2023, on scheduled vacation.

(4) The State of Idaho requests an extension of 28 days from the due date, whereupon its brief would become due on October 4, 2023.

(5) The parties have not stipulated that the proposed extension be granted.

(6) The affiant assures the Court that every effort will be made to file the brief within the requested time.

CERTIFICATION

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

9/6/2023
Date

/s/ Kenneth K. Jorgensen
KENNETH K. JORGENSEN
Deputy Attorney General

CERTIFICATE OF UNCONTESTED MOTION

Per agreement, the Office of the State Appellate Public Defender has no objection to this request for extension of time.

/s/ Kenneth K. Jorgensen
KENNETH K. JORGENSEN
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this 6th day of September, 2023, served a true and correct copy of the UNCONTESTED MOTION FOR SECOND EXTENSION OF TIME FOR FILING RESPONDENT'S BRIEF to the attorney listed below by means of iCourt File and Serve:

ERIC D. FREDERICKSEN
STATE APPELLATE PUBLIC DEFENDER
documents@sapd.idaho.gov

KKJ/dd

/s/ Kenneth K. Jorgensen
KENNETH K. JORGENSEN
Deputy Attorney General

