

STATE OF MINNESOTA  
IN COURT OF APPEALS

Jerry L. Moore,

Appellate Court Case No. A11-1923

Respondent,

v.

APPELLANT'S MOTION FOR  
EXTENSION OF TIME  
IN WHICH TO FILE REPLY BRIEF

John Hoff aka Johnny Northside,

Appellant.

TO: Court of Appeals of the State of Minnesota

Pursuant to Rules 127 and 131.02, Appellant John Hoff moves for an extension of time in which to file his Reply Brief. Appellant's Reply Brief is due on April 4, 2012. For the reasons described in the accompanying Affidavit of Appellant's attorney Paul Godfread, Appellant requests an additional six days in which to serve and file his brief, or until April 10, 2012.

DATED: April 3, 2012

Respectfully submitted,



Paul Godfread  
Attorney for Appellant  
Bar No. 389316  
Godfread Law Firm, P.C.  
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AFFIDAVIT OF PAUL GODFREAD IN SUPPORT OF APPELLANT'S  
MOTION FOR EXTENSION OF TIME IN WHICH TO FILE REPLY BRIEF

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STATE OF MINNESOTA     )  
  )ss.  
COUNTY OF RAMSEY     )

Paul Godfread, being first duly sworn, on oath states as follows:

1. I am one of the attorneys representing Appellant in this proceeding.
2. I am requesting a short extension of time in which to file Appellant's Reply Brief because I do not believe that it will be possible to properly complete and file the brief by the original due date, which is April 4, 2012.
3. Respondent's brief was due on Thursday, March 22, 2012. While it appears to have been mailed to me on that date, it did not arrive at my office until five days later, or on Tuesday, March 27, 2012. In addition, Respondent's

attorney did not serve a copy of her brief on my co-counsel, Mark Anfinson, and consequently I had to deliver one to him. As a result, he did not obtain a copy of the brief until two days later, which was seven days after it was due, or March 29, 2012.

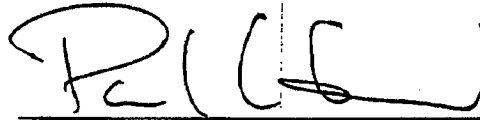
4. Respondent's brief is unusually long (53 pages), and addresses a wide range of complex constitutional and procedural issues. When the reduced amount of time that we have to analyze, research, and respond to the issues raised in Respondent's brief as a result of the circumstances described above is combined with the limited time period provided under the Rules for preparing a reply brief, it is unlikely that we can properly complete the brief by the original due date, which is April 4, 2012. This is particularly true since Mr. Anfinson and I have separate practices, and the process of consulting and coordinating our efforts on the brief takes more time than if only one attorney were involved. Mr. Anfinson and I are representing Appellant pro bono.

5. In addition, our client John Hoff remains on active duty with the United States Army, which makes exchanges with him about the briefs relatively slow and uncertain.

6. I appreciate the importance of adhering to the time requirements imposed by the Rules, and would not ask for the extension if I believed there was any reasonable alternative to doing so. I do not believe that obtaining the extension will cause any prejudice or materially delay consideration of the appeal.


7. I therefore respectfully request that the Court grant an extension of time in which to serve and file Appellant's Reply Brief, to and including Tuesday, April 10, 2012.

FURTHER YOUR AFFIANT SAITH NAUGHT.



Paul Godfread  
Attorney for Appellant

Subscribed and sworn to before me on this 3 day of April, 2012



Notary Public