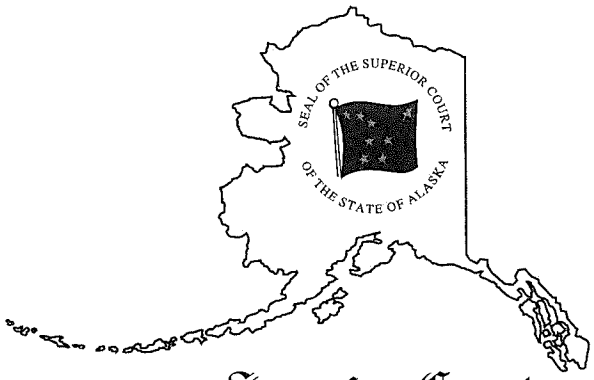

Superior Court

State of Alaska

FOURTH JUDICIAL DISTRICT

PAUL R. LYLE
Judge

101 LACEY STREET
FAIRBANKS, ALASKA 99701

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June 16, 2022

Meredith Montgomery
Clerk of the Appellate Courts
303 K Street
Anchorage, Alaska 99501

Re: *Mitchell Lee Joseph v. State of Alaska*
Court of Appeals No. A-13520
Trial Court No. 4TO-18-00068 CR
Request for Extension of Time—Hearing on Remand

Dear Ms. Montgomery:

The Court of Appeals ordered further proceedings in this case in Memorandum Opinion No. 7001 issued on April 13, 2022 and ordered the trial court to issue findings and a decision by August 11, 2022 (120 days from the date of the decision). The Court's decision indicates that an extension may be obtained for good cause upon notification to the Court.

Scheduling hearings were held on April 29, May 20 and June 13, 2022. The public defender was appointed to represent Mr. Joseph on May 20. On June 13, the court was advised that Mr. Joseph is unavailable to attend a hearing until mid-October 2022 at the earliest. Mr. Joseph works in the fishing industry and is at sea throughout most of the summer and apparently into the early fall. A scheduling hearing is set for September 12, 2022.

Mr. Joseph is indigent. He has a family and he must work. I believe that Mr. Joseph's indigency and his current work schedule constitutes good cause for a continuance to December 31, 2022. This extension will allow Mr. Joseph to work a full season and will give both parties adequate time to prepare for the hearing.

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A further extension may be necessary depending on this court's trial calendar.

Sincerely Yours,

Paul R. Lyle
Superior Court Judge

cc: Elizabeth Crail, Esq.
Justin Racette, Esq.