

STATE OF WISCONSIN
COURT OF APPEALS
DISTRICT IV

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

Circuit Court No.: 2021TR006474

Appeal No.: 2023AP001367

JOSEPH B. VENABLE,

Defendant-Appellant.

MOTION FOR EXTENSION OF TIME TO FILE BRIEF

The Defendant-Appellant, JOSEPH B. VENABLE, by his attorneys, TRACEY WOOD & ASSOCIATES, pursuant to Rule 809.82(2), upon the attached Affidavit of Counsel, respectfully moves this Court for the entry of an Order granting an extension from December 5, 2023, to January 17, 2024, of the time within which defendant-appellant may file his brief in this matter, on the following grounds:

1. Under this Court's order, Defendant-Appellant's brief is due on or before December 5, 2023.

2. Counsel for Defendant-Appellant seeks this extension to be able to ensure there is enough time to finalize the appellate brief and make final revisions prior to giving it to staff to proof and prepare for filing.

3. Counsel for Defendant-Appellant is requesting more time due to counsel's workload. Undersigned counsel's workload has recently been consumed by reviewing case file materials, drafting pre-trial motions, conducting legal research, and preparing for pre-trial hearings.

4. Travel throughout the state is also required for counsel to appear at various hearings. This currently includes traveling to six different counties over the course of only a couple weeks.

5. Undersigned counsel recently had a jury trial in Portage County in *City of Stevens Point v. Christen Michael Nelson*, case number 23 TR 915, 23 TR 916, and 23 TR 1040.

6. Undersigned counsel also assisted another member of her firm with drafting a brief in support of a motion for post-conviction relief in *State of Wisconsin v. Darryl L. Christensen*, case number 15 CF 159.

7. This is the second request for an extension of time to file this brief by defendant-appellant.

WHEREFORE, for the above reasons, Defendant-Appellant respectfully asks this Court for an extension of time to January 17, 2024, in which to file and serve the Defendant-Appellant's brief and Appendix in this matter, and for such other relief as this Court deems needed and just.

IN SUPPORT OF THIS MOTION, counsel for Defendant-Appellant respectfully invites the attention of the Court to the attached Affidavit of Counsel.

Dated at Middleton, Wisconsin, on December 4, 2023.

Respectfully submitted,

JOSEPH B. VENABLE, Defendant-Appellant

TRACEY WOOD & ASSOCIATES
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BY:



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AFFIDAVIT OF COUNSEL

STATE OF WISCONSIN)

) ss.

COUNTY OF DANE)

ANDRIA SAVITCH being first duly sworn on oath says:

1. She is an attorney at the firm TRACEY WOOD & ASSOCIATES, which has been retained as counsel for the defendant-appellant in this action.

2. She knows the facts alleged in the attached motion to be true of her personal knowledge.

Dated at Middleton, Wisconsin, December 4, 2023.



ANDRIA SAVITCH,
Affiant

Subscribed and sworn to before me,
this 4th day of December, 2023.



Notary Public, Dane County, WI

My commission expires: 9-14-25

