

IN THE SUPREME COURT OF THE STATE OF MONTANA

NO. _____

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FILED
MAR 25 2009
Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

<p>JOHN M. SZAFRYK, Appellant, vs. AMBER E. SZAFRYK, Appellee.</p>	<p>NOTICE OF APPEAL</p>
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NOTICE is given that John M. Szafryk, the Appellant above-named and who is the Respondent in that cause of action filed in the Fourth Judicial District, in and for the County of Missoula, as Cause NO. DR-01-699, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action by the Standing Master on November 6, 2008, and made a Final Order

of the District Court by the Order Adopting Findings of Fact and Conclusions of Law and Order as Final Order on March 19, 2009.

THE APPELLANT FURTHER CERTIFIES

1. That this appeal is subject to the mediation process required by M. R. App. P. 7.

2. That this appeal is not an appeal from an order certified as final under M. R. Civ. P. 54(b).

3. That the notice required by M. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the Constitutionality of any act of the Montana Legislature.

4. That all available transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal.

5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.


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RESPECTFULLY SUBMITTED this 24th day of March, 2008.

P. MARS SCOTT LAW OFFICES

By: 
Ryan A. Phelan, Esq.
Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above referenced District Court action as follows:

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Montana Fourth Judicial District
Shirley E. Faust
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