

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 08-0310

ORIGINAL

STATE OF MONTANA,

Plaintiff and Appellee,

v.

RICHARD J. RING,

Defendant and Appellant.

FILED

MAY 28 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION TO VOLUNTARILY DISMISS APPEAL

COMES NOW, Defendant and Appellant Richard J. Ring, by and through his counsel of record, Koan Mercer, and moves to voluntarily dismiss his appeal in the above entitled cause.

Appellant makes this motion pursuant to Rule 36, M.R. App. P., on the grounds and for the reason that the Appellant does not wish to continue with his appeal. See, Exhibit A, Appellant's Affidavit.

Assistant Attorney General Mark Mattioli has been contacted regarding this motion and does not object.

Respectfully submitted this 28th day of May, 2009.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
301 South Park, Room 568
P.O. Box 200145
Helena, MT 59620-0145

By: Koan Mercer
Koan Mercer
Assistant Appellate Defender

5/28/09
DATE

By: Richard J. Ring
Richard J. Ring
Defendant/Appellant

5-9-09
DATE

CERTIFICATE OF SERVICE


I hereby certify that I caused a true and accurate copy of the foregoing

Motion to Voluntarily Dismiss Appeal to be mailed to:

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401

FRED R. VAN VALKENBURG
Missoula County Attorney
County Courthouse
200 West Broadway
Missoula, MT 59802

RICHARD J. RING 2038597
Billings Pre Release Center
3109 1st Avenue North
Billings, MT 59101

DATED: May 28, 2009 

AFFIDAVIT

STATE OF MONTANA)
: ss.

County of _____)

I, Richard J. Ring, Appellant in the above referenced case, being first duly sworn upon by oath, depose and state as follows:

- 1. I do not wish to proceed with this appeal.

Respectfully submitted this 20th day of May, 2009.

Richard J. Ring
Richard J. Ring
Appellant/Defendant

SUBSCRIBED AND SWORN to before me this _____ day of _____,
_____.

SEAL

Printed Name:
Notary Public for the State of Montana
Residing at _____
My commission expires _____