

FRANCO TORRES
AO # 2154258
805 COLLEEN ST.
HELENA PRE-RELEASE CENTER
HELENA, MT 59601

FILED

05/25/2018

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 18-0286

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA
No. DA 18-0286

FRANCO LEO TORRES,
Appellant,

NOTICE OF APPEAL
FILED

V.

STATE OF MONTANA,
Appellee.

MAY 25 2018

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

NOTICE IS HEREBY GIVEN THAT FRANCO LEO TORRES, THE APPELLANT ABOVE-NAMED AND WHO IS THE PLAINTIFF/PETITIONER IN THE CAUSE OF ACTION FILED IN THE FIRST JUDICIAL DISTRICT, IN AND FOR THE COUNTY OF LEWIS AND CLARK, AS CAUSE NO. CDV 2017-655, HEREBY APPEALS TO THE SUPREME COURT OF THE STATE OF MONTANA FROM THE FINAL JUDGEMENT OR ORDER ENTERED IN SUCH ACTION ON THE 29TH DAY OF MARCH, 2018.

THE APPELLANT FURTHER CERTIFIES:

1. THAT THIS APPEAL IS NOT SUBJECT TO THE MEDIATION PROCESS REQUIRED BY MONT. R. APP. P. 7.

2. THAT THIS APPEAL IS NOT AN APPEAL FROM AN ORDER CERTIFIED AS FINAL UNDER MONT. R. CIV. P. 54(BS). IF THIS IS SUCH AN APPEAL, A TRUE COPY OF THE DISTRICT COURT'S CERTIFICATION ORDER IS ATTACHED HERETO AS EXHIBIT "A".

NOTICE OF APPEAL
PAGE 1 OF 3

FRANCO LEO TORRES
APPELLANT

RESPECTFULLY SUBMITTED THIS 24 DAY OF MAY, 2018.

5. THAT THE APPELLANT HAS FILED A MOTION TO PROCEED IN THIS MATTER WITHOUT PAYMENT OF THE FILING FEE.

4. THAT THE APPELLANT HAS ATTACHED A COPY OF THE ORDER OR JUDGMENT FROM WHICH HE IS APPEALING.

3. THAT ALL RELEVANT TRANSCRIPTS OF THE PROCEEDINGS IN THIS MATTER HAVE BEEN ORDERED FROM THE COURT REPORTER (COUNTERPOUND) WITH THE FILING OF THIS NOTICE OF APPEAL. IF ALL AVAILABLE TRANSCRIPTS HAVE NOT BEEN ORDERED, THAT APPELLANT HAS COMPLIED WITH THE REVISIONS OF MONT. R. APP. P. 8(3) (COUNTERPOUND) WITH THE FILING OF THIS NOTICE OF APPEAL.

CERTIFICATE OF SERVICE

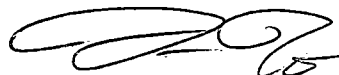
I CERTIFY THAT I HAVE FILED THIS NOTICE OF APPEAL WITH THE CLERK OF THE MONTANA SUPREME COURT; AND THAT I HAVE MAILED COPIES TO THE CLERK OF THE DISTRICT COURT, EACH ATTORNEY OF RECORD, EACH COURT REPORTER FROM WHOM A TRANSCRIPT HAS BEEN ORDERED, AND ANY PARTY NOT REPRESENTED BY COUNSEL AS FOLLOWS:

CLERK OF THE DISTRICT COURT
ANGIE SPARKS
LEWIS AND CLARK COUNTY COURTHOUSE
228 BROADWAY
HELENA, MT 59601

LEWIS AND CLARK COUNTY ATTORNEY'S OFFICE
COUNTY ATTORNEY, LEO GALLAGHER
228 BROADWAY
HELENA, MT 59601

TIMOTHY C. FOX
MONTANA ATTORNEY GENERAL
ATTORNEY GENERAL'S OFFICE
215 NORTH SANDERS
P.O. BOX 201401
HELENA, MT 59620-1401

DATED THIS 24 DAY OF MAY, 2018.


FRANCO LEO TORRES
APPELLANT