

ORIGINAL

FILED

08/16/2018

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 18-0485

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. —

DA 18-0485

Diana Arnold
MWP
#3012813
701 South 27th Street
Billings, Montana 59101

FILED

AUG 16 2018

Pro Se

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

DIANA ARNOLD,
Petitioner and Appellant,

v.

Dave and Cathy McDunn,
Respondant and Appellee.

NOTICE OF APPEAL

Notice is hereby given that Diana Arnold, the Appellant above named and who is the Defendant in the cause of action filed in the Eighteenth District, in and for the County of Gallatin as Cause No. DV-09-1235B, hereby appeals to the Supreme Court of the State of Montana from the Order entered in such action on the 9th day of July, 2018. District Court denied Defendant's Motion to Reconsider based on Defendant's failure to set forth a factual or legal basis pursuant to either Rule 59 or 60 of the Montana Rules of Civil Procedure for the Court to afford Defendant the relief she requests

Defendant was not seeking a New Trial pursuant to Rule 59 or Relief from Judgement pursuant to Rule 60. Defendant sought relief

from the the Court for the post-judgement collection methods of the Plaintiffs and their refusal to provide an accounting.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is not subject to the mediation process required by Montana Rules of Appellate Procedure 7.

2. That this appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A".

3. That the notice required by Mont. R. App. P. 27 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 if applicable to this appeal

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

5. That included herein is the Form 5(a) Inmate Motion to Proceed Without Filing Fee.

Respectfully submitted this 7th day of August, 2018.

By: 

DIANA ARNOLD
APPELLANT
PRO SE

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 District Court, each attorney of record in the above-referenced District Court action as follows:

Jennifer Brandon
Clerk of the District Court
615 south 16th
Bozeman, Montana 59715

Rhett Nemelka
2078 Stadium Drive
Suite 103
Bozeman, Montana 59715

Dated this 7th day of August, 2018.


Diana Arnold Appellant