

## FILED

08/23/2018

Ed Smith CLERK OF THE SUPREME COURT STATE OF MONTANA Case Number: DA 18-0504

IN THE SUPREME COURT OF THE STATE OF MONTANA

No.

, SHARON J. SPECK,

**DA 18-0504** 

Defendant and Appellant,

V.

HUNTER SIMPKINS and PATRICK GUSTIN,

Plaintiffs and Appellees.

FILED

AUG 23 2018

Ed Smith CLERK OF THE SUPREME COURT STATE OF MONTANA

## **NOTICE OF APPEAL**

On Appeal from the Montana First Judicial District Court, Lewis & Clark County, The Honorable James P. Reynolds, Presiding

APPEARANCES:

Burt W. Ward JACKSON, MURDO & GRANT, P.C. 203 N. Ewing Street Helena, MT 59601 Phone: 406-442-1300 Fax: 406-443-7033 bward@jimgm.com

COUNSEL FOR DEFENDANT/ APPELLANT Mark Lancaster Luxan & Murfitt, PLLP Fourth Floor, Montana Club Building P.O. Box 1144 Helena, MT 59624 Phone: 406-442-7450 Fax: 406-442-7361 <u>MLancaster@luxanmurfitt.com</u>

COUNSEL FOR PLAINTIFFS/ APPELLEES Notice is given that Sharon J. Speck, the Appellant above-named and who is the Defendant and Respondent in that cause of action filed in the First Judicial District Court, in and for the County of Lewis and Clark, as Cause No. DDV-2017-569, hereby appeals to the Supreme Court of the State of Montana from the final order entered in such action on the 23rd day of July, 2018.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is not 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 a copy of this notice is being served by delivering to the clerk of the district court and to counsel of record pursuant to M.R.App.P. 4(4)(a).

4. Pursuant to Rule 9 of Uniform Municipal Rules of Appeal to District Court an audio transcript was provided to the district court and is included in the record of this case.

5. That included herewith is the filing fee prescribed by statute.DATED this <u>23</u> day of August, 2018.

JACKSON, MURDO & GRANT, P.C.

By:

Burt W. Ward Attorneys for Defendant/Appellant

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## **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 each attorney of record in the above-referenced action, as follows:

Mark Lancaster Luxan & Murfitt, PLLP Fourth Floor, Montana Club Building P.O. Box 1144 Helena, MT 59624

Angie Sparks Clerk of District Court Lewis & Clark County 228 E. Broadway Helena, MT 59601-4263

JACKSON, MURDO & GRANT, P.C.

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