

ORIGINAL

FILED

02/22/2019

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 19-0036

Mark Kucera

Billings MT 59102

kuchthird@yahoo.com

Appellant

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA- 19-0036

Mark Kucera,

Appellant,

v.

Christopher Brady,
Appellee.

**MOTION TO PROCEED
ON APPEAL WITHOUT
A MEDIATOR**

I move the Court to remove the Mediator process. While filling out the Appeal at the Supreme Court office as I mistakenly checked box 7 instead of "This appeal is NOT subject to mediation process required in M.R. App. P 7.

I am not interested in mediation. I desire a Standard Review of the case based on its merits, evidence and procedure that question the facts and Law as what I believe the lower Court may have errored on.

FILED

FEB 22 2019

Bowen Greenwood
Clerk of Supreme Court
State of Montana

CERTIFICATE OF SERVICE

I certify that I filed this Motion with the Supreme Court and that I have mailed, hand delivered and text a copy to each attorney of record and any other party not represented by counsel as follows:

Christopher Brady Mailed and text
21924 Angostura Blvd.
San Antonio, TX 78261

Carey E. Matovich Mailed and hand delivered.
2812 1st Avenue North, Suite 225
Billings, MT 59103-1098

MONTANA SUPREME COURT email/Filed and mail
PO Box 203005
Helena, MT 59620-3005

Dated this 18th day of February, 2019.

Mark Kucera
MARK KUCERA

Mark Kucera <kuchthird@yahoo.com>

To:clerkofsupremecourt@mt.gov

Feb 18 at 9:14 AM

Hello Bowen,

On Monday, February 18, 2019, 10:03:59 AM MST, Mark Kucera <kuchthird@yahoo.com> wrote:

Hello Bowen,

I talked to a receptionist at the Montana Supreme Court after seeing this email, while out of town two weeks ago.

We talked about the filing of the appeal at your office and the error and misunderstanding of instructions for the box checked for a Mediator.

She told me to file a motion to correct the box I checked.

I returned from Havre this last Friday after taking my turn of helping my 89 year young mother as she has congestive heart failure, on oxygen, recovering from a broken hip and other ailments.

I have attached such Motion.

Than you and have a nice day,

Mark Kucera.