

¶ 15. While Leslie may raise issues in her response that are more appropriate for her brief, this Court is inclined to consider her request not to dismiss and the request for an extension to time to come into compliance with this Court's deadlines. Accordingly,


IT IS ORDERED that Tom's Motion to Dismiss is DENIED.

IT IS FURTHER ORDERED that Leslie's Request for Extension, deemed a Late Motion for Extension of Time is GRANTED, and that Leslie shall prepare, file, and serve an opening brief in accordance with the Montana Rules of Appellate Procedure within thirty days of this Order or, on or before August 8, 2019. Leslie may seek another extension of time to file an opening brief, pursuant to M. R. App. P. 16, prior to that deadline. Failure to file an opening brief will result in dismissal of this appeal without further notice.

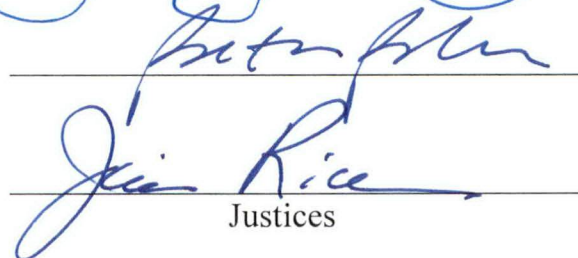
The Clerk of the Supreme Court is directed to provide a copy of this Order to counsel of record and to Leslie Strobe along with a copy of this Court's Civil Appellate Handbook.

DATED this 9<sup>th</sup> day of July, 2019.

  
Chief Justice

  
Justice

  
Justice

  
Justice

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 19-0216

---

**FILED**

**JUL 09 2019**

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

IN RE THE MARRIAGE OF:

THOMAS OPRE,

Petitioner and Appellee,

and

LESLIE L. STROPE, f/k/a LESLIE OPRE,

Respondent and Appellant.

---

**ORDER**

Through counsel, Appellee Thomas Opre (Tom) moves this Court for dismissal of this appeal with prejudice because of self-represented Appellant Leslie Strobe's (Leslie) failure to file her opening brief. M. R. App. P. 13(3). Leslie responds in opposition.

Tom states that Leslie's brief was due June 20, 2019, and that she failed to file it or request an extension of time to do so. M. R. App. P. 13(3). Tom points out that the appellate mediation process would not have changed the date for filing her brief. M. R. App. P. 7(3)(b). He adds that he attempted to contact Leslie about this motion prior to its filing. M. R. App. P. 16(1).

Leslie responds that she is "late filing proper briefs due to circumstances directly related to the case before [us]." Leslie summarizes the history of this underlying proceeding and asserts that she desires continuation of her appeal. She also "request[s] an extension" to obtain legal counsel.

We have stated many times before that "it is reasonable to expect all litigants, including those acting pro se, to adhere to procedural rules." *Greenup v. Russell*, 2000 MT 154, ¶ 15, 300 Mont. 136, 3 P.3d 124 (citing to *First Bank (N.A.)--Billings v. Heidema*, 219 Mont. 373, 376, 711 P.2d 1384, 1386 (1986)). We, however, must consider the prejudice, if any, to the opposing party when a party does not adhere to rules of procedure. *Greenup*,