

AUSTIN KNUDSEN
Montana Attorney General
MARDELL PLOYHAR
Assistant Attorney General
215 North Sanders
P. O. Box 201401
Helena, MT 59620-1401
Phone: 406-444-2026
Fax: 406-444-3549
mployhar@mt.gov

COUNSEL FOR PLAINTIFF AND APPELLEE

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 20-0074

STATE OF MONTANA,

Plaintiff and Appellee,

v.

BRICE WILLIAM WILKE,

Defendant and Appellant.

**PETITION TO PERMIT STUDENT PRACTICE
UNDER THE MONTANA STUDENT PRACTICE RULE**

Pursuant to the Montana Student Practice Rule (Rule), the State of Montana,
by and through the undersigned counsel for the Montana Attorney General's
Office, requests this Court allow Anne Lewis to practice before this Court in the

above-entitled case, subject to the restrictions of the Rule. As grounds for this Petition, the undersigned counsel submits supporting documents, attached herein, and states:

1. I am an attorney admitted to practice in this Court and am the attorney of record for the State of Montana in the above-entitled case.

2. I am requesting Anne M. Lewis, of Missoula, Montana, be permitted to appear and practice in this case pursuant to the Rule. *See* Rule § II.B (student appearance in a criminal matter on behalf of the State), § II.E.2 (preparation of briefs to be filed in appellate courts), and § II.F (participation in oral argument in the Supreme Court).

3. I certify that Ms. Lewis:

a. is duly enrolled at the University of Montana School of Law, a law school approved by the American Bar Association;

b. has completed her second year of law school and, thus, has completed legal studies amounting to at least two-thirds of the total credit-hours required for graduation;

c. has been certified by the dean of the law school as being of good moral character and competent legal ability and as being adequately trained to perform as a legal intern (see attached letter of good standing from the University of Montana School of Law); and

d. has certified in writing that she has read and is familiar with and will abide by the Montana Rules of Professional Conduct. (*See attached Student Certification.*)

4. I will assist and counsel Ms. Lewis in all work performed in this case.

5. I accept full personal and professional responsibility for this case and for all of Ms. Lewis's work.

6. I will ensure that at least one supervising attorney is present in person throughout Ms. Lewis's presentations in open court and will introduce Ms. Lewis in such appearances.

7. The prosecutor who handled this case in the district court is no longer practicing in the Lewis and Clark County Attorney's Office, but Lewis and Clark County Attorney Leo Gallagher has indicated that he does not object to Ms. Lewis's participation in this case.

8. I have contacted opposing counsel who poses no objection to the State's petition.

Respectfully submitted this 27th day of July, 2020.

AUSTIN KNUDSEN
Montana Attorney General
215 North Sanders
Helena, MT 59620-1401

By: /s/ Mardell Ployhar
MARDELL PLOYHAR
Assistant Attorney General

CERTIFICATE OF SERVICE

I, Mardell Lynn Ployhar, hereby certify that I have served true and accurate copies of the foregoing Petition - Other to the following on 07-27-2021:

Leo John Gallagher (Govt Attorney)
Lewis & Clark County Attorney Office
Courthouse - 228 E. Broadway
Helena MT 59601
Representing: State of Montana
Service Method: eService

Chad M. Wright (Attorney)
P.O. Box 200147
Helena MT 59620-0147
Representing: Brice William Wilke
Service Method: eService

Ryan Phillip Rebhahn Archibald (Attorney)
617 N. 5th St
Hamilton MT 59840
Representing: Brice William Wilke
Service Method: eService

Electronically signed by Wendi Waterman on behalf of Mardell Lynn Ployhar
Dated: 07-27-2021