

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court No. DA _____

STATE OF MONTANA,

Plaintiff and Appellee,

vs.

BRYCE CALEB HAMERNICK,

Defendant and Appellant.

NOTICE OF APPEAL


Notice is hereby given pursuant to Mont. R. App. P. 4(2)(a) that Bryce Caleb Hamernick, the Appellant in the above-named cause of action filed in the Fourth Judicial District, in and for the County of Missoula, as Cause No. DC-2019-353, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on July 14, 2021.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is not subject to the mediation process required by Mont. R. App. P. 7(2).

2. That this appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b).
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 not yet been ordered from the court reporter by the Undersigned Counsel on appeal. The transcripts have not been ordered because the appellate defender office has indicated they wish to order transcripts through the State system. If all available transcripts have not been ordered, that Appellant has complied with the provisions of Mont. R. App. P. 8(3) contemporaneously with the filing of this Notice of Appeal.
5. This is a criminal case, a filing fee is not required with this Notice of Appeal.

Respectfully submitted this 30th day of July, 2021.



Peter F. Lacny
DATSOPOULOS, MacDONALD & LIND, P.C.
Attorney for Defendant

CERTIFICATE OF SERVICE

I, Peter F. Lacny, certify that I have filed a true and correct copy of the foregoing Notice of Appeal with the Clerk of the Montana Supreme Court, and I have served true and correct copies of the foregoing Notice of Appeal upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Michelle Vipperman..... U.S. Mail
Clerk of District Court
200 W Broadway St.
Missoula, MT 59802

Jennifer Wells.....U.S. Mail
200 W Broadway St.
Missoula, MT 59802

Ryan Mickelson..... U.S. Mail
Deputy Missoula County Attorney
199 W. Pine St.
Missoula, MT 59802

Austin Knudsen U.S. Mail
Montana Attorney General
215 North Sanders
Helena, MT 59620-1401

Bryce Hamernick, Defendant-Appellant..... U.S. Mail

DATED: 7-30-2021



Peter F. Lacny

CERTIFICATE OF SERVICE

I, Peter Francis Lacny, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 07-30-2021:

Ryan Joseph Mickelson (Govt Attorney)
Missoula County Attorney's Office
200 West Broadway
Missoula MT 59802
Representing: State of Montana
Service Method: eService

Electronically signed by Hannah Ellison on behalf of Peter Francis Lacny
Dated: 07-30-2021