

Robert L. Allum  
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ORIGINAL

FILED

DEC 16 2021

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

In Proper Person

IN THE SUPREME COURT  
OF THE STATE OF MONTANA

Supreme Court Cause No. DA 21-0641

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ROBERT L. ALLUM  
Petitioner/Appellant,  
v.

**MOTION AND AFFIDAVIT TO  
PROCEED ON APPEAL WITHOUT  
PAYMENT OF FILING FEE**

STATE OF MONTANA  
Respondent/Appellee./

I move this Court to proceed without payment of the filing fee in this cause, and I submit this Affidavit in support of my motion.

I, Robert L. Allum, being first duly sworn, depose and say that I am the Plaintiff/Appellant, in the above-entitled cause; that in support of my application to proceed on appeal without being required to pay the filing fee, I state that because of my financial condition I am unable to pay the filing fee; that I believe I am entitled to redress; and that the issues which I desire to present on appeal are the following:

a. Judge Peter B. Ohman erred in denying plaintiff's Motion for Reconsideration.

b. Judge Peter B. Ohman erred in granting defendant's Motion for Summary Judgment.

c. Any judgment, (1) prior to the filing of a litigant's responsive pleading, stating the affirmative defense, res judicata, and (2) discovery, violates the opposing litigant's constitutional rights to due process.

I further swear that the responses which I have made to the questions and instructions below relating to my ability to pay the cost of prosecuting the appeal are true.

1. Are you presently employed? No

a. If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer.

b. If the answer is no, state the date of your last employment and the amount of the salary and wages per month which you received. 11/18/13  
\$600/month

2. Have you received within the past 12 months any income from a business, profession, or other form of self-employment, or in the form of rent payments, interest, dividends, or other source? If the answer is yes, describe each source of income and state the amount received from each during the past 12

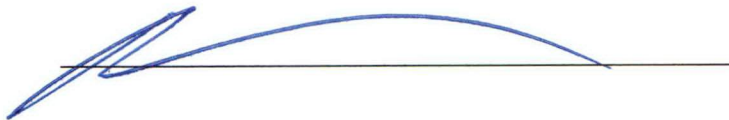
months. No

3. Do you own any cash or checking or savings account? If the answer is yes, state the total value of the items owned. Approximately \$300 in checking

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? If the answer is yes, describe the property and state its approximate value. No

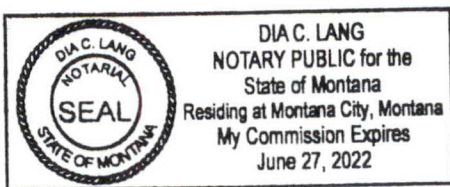
5. List the persons who are dependent upon you for support and state your relationship to those persons. Teresa Allum - wife

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury.



Subscribed and sworn to before me this 16 day of December, 2021.

SEAL \_\_\_\_\_



Notary Public for the State of Montana

Residing at Jefferson County

My Commission expires June 27, 2022

## CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing, **MOTION AND AFFIDAVIT TO PROCEED ON APPEAL WITHOUT PAYMENT OF FILING FEE**, with the Clerk of the Montana Supreme Court and that I have served true and accurate copies of the foregoing, as follows:

Montana Eighteenth Judicial Court, Gallatin County  
615 S 16th Ave #302  
Bozeman, MT 59715

Ben Williams  
Montana Department of Labor and Industry  
P.O. Box 1728  
Helena, MT 59624-1728

Dated this 16th day of December, 2021.

  
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ROBERT L. ALLUM