

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 21-0441

IN RE THE PARENTING OF:
L.D.C.,

A Minor Child,

VALERIE L. CALF BOSS RIBS,

Petitioner and Appellant,

O R D E R

v.

DANIEL J. CORNELIUS,

Respondent and Appellee.

This Court reviews briefs to ensure compliance with Rules 11 and 12 of the Montana Rules of Appellate Procedure. After reviewing the Appellee's response brief filed electronically on January 18, 2022, this Court has determined that the brief does not comply with the below-referenced Rules and must be resubmitted.

M. R. App. P. 12(1)(d) requires that the statement of the facts contained in the brief reference the pages or parts of the record at which material facts appear. Appellee's statement of the facts cites only sporadically, and insufficiently, to the record.

M. R. App. P. 12(1)(f) requires a summary of the argument before the argument portion of the brief. The summary of the argument should include a heading identifying it as a separate section. The summary should be a clear and concise statement of the arguments made in the body of the brief.

Additionally, M. R. App. P. 11(6)(b)(iv) requires that parties filing documents with the Clerk of the Supreme Court shall use the correct designations of the parties as set forth in M. R. App. P. 2. We also note that the Appellant's name is misspelled in the caption. Appellee shall correct the spelling of the Appellant's name in the caption and include designations for parties' counsel on the front page of Appellee's brief.

Therefore,

IT IS ORDERED that the referenced brief is rejected.

IT IS FURTHER ORDERED that within ten (10) days of the date of this Order the Appellee shall electronically file with the Clerk of this Court a revised brief containing the revisions necessary to comply with the specified Rules and that the Appellee shall serve copies of the revised brief on all parties of record;

IT IS FURTHER ORDERED that no changes, additions, or deletions other than those specified in this Order may be made to the brief as originally filed; and

IT IS FURTHER ORDERED that the times for any subsequent briefing contained in M. R. App. P. 13 shall run from the date of filing of the revised brief.

The Clerk is directed to provide a true copy of this Order to the Appellee and to all parties of record.