

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court No. DA 22-____

SHANDOR S. BADARUDDIN,

Appellant,

-vs-

HON. MATTHEW J. CUFF & THE STATE OF MONTANA,

Appellants.

NOTICE OF APPEAL

Notice is hereby given that Shandor S. Badaruddin, Esq., the Appellant above-named and sanctioned counsel in the matter of *State of Montana v. Kip Hartman*, Cause Number DC 19-75 in the Montana Nineteenth Judicial District Court for Lincoln County, appeals from the sanctions order entered in that matter. The Order on appeal was entered on January 25, 2022.

THE APPELLANT FURTHER CERTIFIES:

1. That his appeal is not subject to the mediation process required by *Mont. R. App. P. 7*. While the Order awards a money judgment to the State of Montana, neither this

appeal nor the underlying matter from which it arises was “an action[] seeking monetary damages/recovery.” *Mont. R. App. P. 7(3)*. Rather, it was, and remains, a criminal case initiated by the State of Montana against the Appellant’s client, Kip Hartman.

2. That this appeal is not an appeal from an order certified as final under *Mont. R. Civ. P. 54(b)*. If this were such an appeal, a true copy of the district court’s certification order would be attached hereto as Exhibit A.
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 relevant transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that

Appellant has complied with the provision of *Mont. R. App.*

P. 8(3) contemporaneously with the filing of this notice of appeal.

Respectfully submitted this 1st day of February 2022.

/s/ Colin M. Stephens
Colin M. Stephens
SMITH & STEPHENS, P.C.

/s/ Peter F. Lacny
Peter F. Lacny
DATSOPOULOS, MacDONALD & LIND, P.C.

Attorneys for Appellant

CERTIFICATE OF SERVICE

I, Colin M. Stephens, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 02-01-2022:

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Dated: 02-01-2022