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Attorneys for Aaron Oliphant

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

Supreme Court Cause No. \_\_\_\_\_

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AARON JOEL OLIPHANT,

Petitioner/Appellant,

v.

STATE OF MONTANA,

Respondent/Appellee.

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**NOTICE OF APPEAL**

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Notice is hereby given that Aaron Joel Oliphant, the Appellant above-named and who is the Defendant in the cause of action filed in the First Judicial District, in and for the County of Lewis and Clark, as Cause No. ADC-2016-270, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 20th day of January, 2022.

**THE APPELLANT FURTHER CERTIFIES:**

1. That this appeal is not subject to the mediation process required by M. R. App. P. 7.

2. That this appeal is an appeal from an order certified as final under M. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit A.

3. That the notice required by M. R. App. P. 27 has been or 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.

4. That all available 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 provisions of M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.

5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 18<sup>th</sup> day of February, 2022.

Attorney for Aaron Joel Oliphant: /s/ Caitlin Carpenter  
CAITLIN CARPENTER

Attorney for Aaron Joel Oliphant: /s/ Paul Leisher  
PAUL LEISHER

## CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate 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:

Angie Sparks  
Clerk of Lewis & Clark District Court  
228 East Broadway St.  
Helena, MT 59601  
(406) 447-8216

Leo Gallagher  
Office of Lewis and Clark County Attorney  
228 East Broadway St. Rm. 1  
Helena, MT 59601

Aaron Oliphant #3023099  
700 Conley Lake Drive  
Montana State Prison  
Deer Lodge, MT 59722

Dated this 16<sup>th</sup> day of February, 2022.

/s/ Caitlin Carpenter  
CAITLIN CARPENTER  
P.O. Box 7607, Missoula, MT 59807  
Legal Director, Montana Innocence Project

/s/ Paul Leisher  
PAUL LEISHER  
P.O. Box 18071, Missoula, MT 59807  
Leisher & Landiedel P.C.  
Attorneys for Aaron Joel Oliphant

## CERTIFICATE OF SERVICE

I, Caitlin Carpenter, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 02-18-2022:

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

Austin Miles Knudsen (Govt Attorney)  
215 N. Sanders  
Helena MT 59620  
Representing: Office of Attorney General  
Service Method: eService

Paul M. Leisher (Attorney)  
Leisher & Landsiedel  
712 Cedar St.  
MT  
Whitefish MT 59937  
Representing: Aaron Joel Oliphant  
Service Method: eService

Electronically Signed By: Caitlin Carpenter  
Dated: 02-18-2022