

Lane K. Bennett, Attorney at Law
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Attorney for Appellant

IN THE SUPREME COURT OF THE STATE OF MONTANA

STEVEN MICHAEL FOLEY,)	
)	
Petitioner/Appellant,)	Supreme Court Cause No. _____
)	
vs.)	NOTICE OF APPEAL
)	
STATE OF MONTANA,)	
)	
Respondent/Appellee.)	

NOTICE is given that, STEVEN MICHAEL FOLEY, the Appellant above-named, and who is the Petitioner in that cause of action filed in the Eleventh Judicial District, in and for Flathead County, as Cause No. DV-21-682(C), hereby appeals to the Supreme Court of the State of Montana from the Findings of Fact, Conclusions of Law, and Order on Petition for Post Conviction Relief entered in such action on the 30th day of March, 2022.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is not subject to the mediation process required by M. R. App. P. 7, as it is a post-conviction relief case.

2. That this appeal is not 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. Civ. 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 will be ordered from the court reporter within a reasonable time of filing of this notice of appeal.

Dated this 27th day of May, 2022.

/s/ Lane K. Bennett

Lane K. Bennett

Attorney for Appellant

CERTIFICATE OF SERVICE

I, Lane K. Bennett, 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 by e-service, addressed as follows:

Stacey Boman, Deputy County Attorney
Travis Ahner, Flathead County Attorney
Flathead County Attorney's Office
820 South Main
Kalispell, MT 59901

Peg Allison
Clerk of District Court
Flathead County Justice Center
920 South Main
Kalispell, MT 59901

Office of the Attorney General (served by e-service)
Austin Knutson, Montana Attorney General
215 North Sanders
P. O. Box 201401
Helena, MT 59620-1401

Date this 27th day of May, 2022.

/s/ Lane K. Bennett

Lane K. Bennett

Attorney for Appellant

P. O. Box 1354

Kalispell, MT 59903-1354

CERTIFICATE OF SERVICE

I, Lane K. Bennett, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 05-27-2022:

State of Montana (Appellee)
215 North Sanders
P. O. Box 201401
Helena MT 59620-1401
Representing: Self-Represented
Service Method: E-mail Delivery

Peg L Allison (Clerk of District Court)
920 S Main, Ste 300
Kalispell MT 59901
Service Method: eService
E-mail Address: pallison@flathead.mt.gov

Stacy Lynne Boman (Govt Attorney)
820 S. Main St.
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Service Method: eService
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Travis R. Ahner (Govt Attorney)
820 South Main Street
Kalispell MT 59901
Service Method: eService
E-mail Address: tahner@flathead.mt.gov

Electronically Signed By: Lane K. Bennett
Dated: 05-27-2022