

## IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 22-0261

THOMAS FRENCH,

Petitioner,

v.

MONTANA TWENTY-FIRST JUDICIAL  
DISTRICT COURT, RAVALLI COUNTY,  
THE HON. JENNIFER LINT, Presiding,

Respondent.

FILED

JUN 07 2022

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

## ORDER

Thomas W. French has filed a notarized Motion to Compel with this Court. The Clerk of the Supreme Court has deemed it a petition for writ of supervisory control over the Twenty-First Judicial District Court, Ravalli County. M. R. App. P. 14(3). French includes a copy of the Ravalli County District Court's case register of a criminal case against him that was closed with entry of judgment in 2019. The case register indicates that French filed a motion in that cause number in February 2021 requesting "transcripts" and another motion nearly a year later "to Compel Request for Transcripts Communications Between Defense Attorney and Prosecuting Attorney Sentencing Documents" [sic]. French now moves this Court to compel the District Court to require the documents he seeks.

The Court treats French's request as a petition for supervisory control because he seeks to have this Court compel action by the District Court. As the criminal case long has been closed, however, there is no proceeding in the District Court over which to take supervisory control. This Court twice has denied French's motions for out-of-time appeals. *See State v. French*, No. DA 20-0239, Order (Mont. May 5, 2020) and *State v. French*, No. DA 20-0289 (Mont. Jun. 2, 2020).

French indicates that he requested copies of his complete case file from his former counsel with the Office of State Public Defender but received only a partial case file. It appears from the case register that French is not seeking documents that would be part of the District Court record from his criminal case but his former counsel's records of contacts with the County Attorney's Office. Whether such records do or do not exist, French's case has long been closed and he does not have an ongoing case or available remedy through a motion to compel in that proceeding.

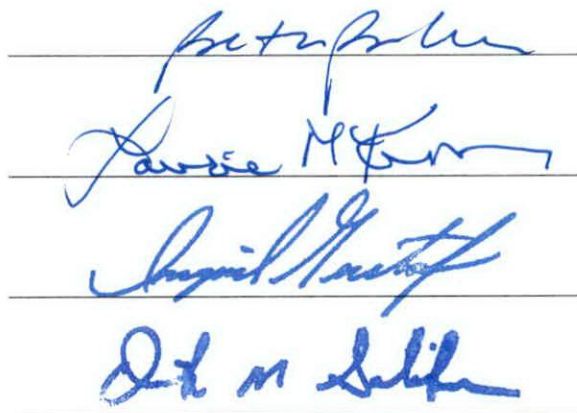
IT IS THEREFORE ORDERED French's Motion, deemed a Petition for a Writ of Supervisory Control, is DENIED and DISMISSED.

The Clerk is directed to provide a copy of this Order to the Honorable Jennifer Lint, Twenty-first Judicial District Court, Ravalli County, along with a copy of French's Petition; to Paige Trautwein, Clerk of District Court, Ravalli County, under Cause No. DC-2018-078; to counsel of record; and to Thomas French personally.

DATED this 7<sup>th</sup> day of June, 2022.



Chief Justice



Justices