



**ORIGINAL**

IN THE SUPREME COURT OF THE STATE OF MONTANA

**FILED**

08/25/2022

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

DA 22-0347

**FILED**

Case Number: DA 22-0347

**AUG 25 2022**

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

STATE OF MONTANA,

Plaintiff and Appellee,

v.

**ORDER**

MATTHEW RYAN AILER,

Defendant and Appellant.

Self-represented Appellant Mathew Ryan Ailer has filed an “Opposed Motion for the Stricken Exhibits to be Part of the District Court Record.” The State of Montana has not filed a response.

Ailer seeks assurance that court-stricken exhibits are part of the record on appeal. Ailer explains that he appeals a District Court Order on All Pending Motions, where the court stated his motions were moot because the verdict will be stricken, and the charge dismissed. He adds that the motions contained several thousands of pages of exhibits.

On August 19, 2022, this Court received the District Court record. The court record has 271 documents filed and listed as well as including four, three-ring binders of exhibits. M. R. App. P. 8(1) and 9(1). Barring those observations, this Court will not be reviewing the record prior to the completion of briefing and classification upon being sent to the Court. M. R. App. P. 19(1). Therefore,

IT IS ORDERED that Ailer’s Opposed Motion for the Stricken Exhibits to be Part of the District Court Record is DENIED, as moot.

The Clerk is directed to provide a copy of this Order to counsel of record and to Mathew Ryan Ailer personally.

DATED this 26<sup>th</sup> day of August, 2022.

For the Court,

By 

Chief Justice