



ORIGINAL

FILED

09/19/2022

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 22-0535

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Attorney for Duane E. Smith

IN THE SUPREME COURT OF THE STATE OF MONTANA

NANCY J. VAIRA,	)	Supreme Court No. _____
Petitioner and Appellee,	)	
-vs-	)	NOTICE OF APPEAL
DUANE E. SMITH,	)	
Respondent and Appellant,	)	
_____	)	

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State of Montana

Notice is given that Duane E. Smith, the Appellant above-named, and who is the Respondent in that cause of action filed in the Seventh Judicial District, Richland County, as Cause No. DR 19-68, hereby appeals to the Supreme Court of the State of Montana from the final judgment entered on June 6, 2022 and the Order in response to Motion to Amend Findings of Fact, Conclusions of Law, and Order Distributing Marital Estate entered on August 23, 2022.

The Appellant certifies as follows:

1. This appeal is subject to the mediation process required by M.R.App.P. 7. The monetary judgment in dispute exceeds \$5,000.
2. This appeal is not an appeal from an order certified as final under M.R.Civ. P. 54(b).
3. 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.
4. Included herewith is the filing fee prescribed by statute.

Dated: September 15, 2022.

Peter O. Maltese  
Attorney for Duane E. Smith

Certificate of Service

I certify that I have filed a true and correct 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, each court reporter from whom a transcript will be ordered as follows:

Janice Klempel  
Richland County Clerk of District Court  
300 12<sup>th</sup> Avenue Northwest, No. 3  
Sidney, Montana 59270

Jennifer Blekestad  
Court Reporter  
300 12<sup>th</sup> Avenue Northwest, No. 2  
Sidney, Montana 59270

Terrance L. Toavs  
Attorney for Nancy J. Vaira  
429 2<sup>nd</sup> Avenue South  
Wolf Point, Montana 59201

Dated: September 15, 2022.



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