

FILED

10/06/2022

Form 4(2)
Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 22-0487

Duane Bender & Rebecca Estates LLC

Name

P.O. Box 31553

Billings MT 59107

City State Zip

vckibender@gmail.com

[e-mail address]

Appellant

[Designation of Party]



ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 22-0487

[to be assigned by Clerk of Supreme Court]

Duane Bender & Rebecca Estates LLC

Appellant,

v.

Stacey Rosman and John Does 1-10

Appellee.

FILED

OCT 06 2022

Bowen Greenwood
Clerk of Supreme Court
State of Montana

AMENDED

NOTICE OF APPEAL

Notice is given that Duane Bender & Rebecca Estates, the Appellant

[Name]

named above and who is the Appellant in

[Designation of party]

the cause of action filed in the 13 Judicial District, in

[Judicial district]

Yellowstone

County as Cause No. DV 18-1433

[District Court Cause No.]

appeals to the Supreme Court of the State of Montana from the final written

judgment or order entered in the District Court on the 29 day of



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NOTICE OF APPEAL

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JULY _____, 20__ 22 _____.
[Date final judgment was entered]

I CERTIFY: [Check one]

☒ This appeal is subject to the mediation process required by M. R. App. P. 7, or

☐ This appeal is not subject to the mediation process required in M. R. App. P. 7.

I CERTIFY: [Check one]

☐ This appeal is NOT an appeal from an order certified as final under M. R. Civ. P. 54(b), or

☒ This appeal is an appeal from an order CERTIFIED as final under the M. R. Civ. P. 54(b). A true copy of the District Court's "CERTIFICATION ORDER" is attached as exhibit "A."

I FURTHER CERTIFY: [Check one]

☐ All relevant transcripts of the proceedings in this cause have been ordered from the court reporter, or

☒ I have complied with the provisions of M. R. App. P. 8(3).

INCLUDED WITH THIS NOTICE IS: [Check one]

☒ A copy of the order or judgment from which I am appealing, or

Included August 24, 2022



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NOTICE OF APPEAL
PAGE 2 OF 4

☐ I will file a copy of the order or judgment from which I am appealing as soon as possible. I have requested a copy of the order or judgment from the Clerk of District Court.

[Check one of the following]

☒ the filing fee of \$100.00. Check No 6896, Aug. 24, 2022

☐ a Motion to Proceed Without Payment of Filing Fee.

Respectfully submitted this 4 day of October, 2022.

Duane R Bender
[Signature]

Duane R. Bender
[Printed name]
Appellant

CERTIFICATE OF SERVICE

I certify that I have filed this **Notice of Appeal** with the Clerk of the Montana Supreme Court; and that I have mailed or hand delivered copies to the Clerk of the District Court, each attorney of record, each court reporter from whom a transcript has been ordered, and any party not represented by counsel as follows:

[Clerk of the District Court]

[Address]

[Court Reporter]



[Address]

Mailed USPS October 4, 2022
Attorney David F. Knobel

[Name of opposing counsel]

Crowley Fleck PLLP
P.O. Box 2529

Billings MT 50103

[Address]

Counsel for Stacey Rosman & John Does 1-10

Duane Bender & Rebecca Estates LLC

[Party representing himself or herself]

P.O. Box 31553

Billings MT 59107

[Address]

DATED this 4 day of October, 20 22.



[Signature]

Duane R. Bender

[Print name]



Duane R. Bender
P.O. Box 31553
Billings MT 59107

October 4, 2022

Clerk Of the Supreme Court
State of Montana
P.O. Box 203003
Helena, MT 50620-3003

RE: Supreme Court No. DA 22-0487

Gentlemen:

Find enclosed the AMENDED NOTICE OF APPEAL. All I changed was Page 2 from:

This appeal is NOT subject to the mediation process

To

This appeal IS subject to the mediation process

Please let me know if this is appropriate or if you need further information to file this Amended Notice.

Respectfully Submitted,



Duane R. Bender

DRB/vb