

01/09/2023

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 23-0026

Jami Rebsom
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ATTORNEY DEFENDANT/APPELLANT

IN THE SUPREME COURT OF THE STATE OF MONTANA

SUPREME COURT CAUSE NO. _____

STATE OF MONTANA,

Plaintiff/Appellee,

vs.

THOMAS WOJTOWICZ,

Defendant/Appellant.

NOTICE OF APPEAL

PLEASE TAKE NOTICE that the Defendant/Appellant, Thomas Wojtowicz, by and through his attorney of record, Jami Rebsom, and hereby appeals the District Court's Decision and Order Denying Pre-Trial Motions, and Motions to Suppress, and for Objections overruled during trial leading to the introduction of evidence in Cause No. DC-21-201C , in the Gallatin County District Court, before the Hon. John C. Brown.

This appeal is not subject to the mediation process required by M.R. App. P. Rule 7. This appeal is not an appeal from an order certified as final under M.R.Civ.P. 54(b). 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. Appellant has attached the filing fee prescribed by statute.

1 Mr. Wojtowicz was sentenced to Treatment Court and does NOT request a Stay of
2 Sentence pending appeal.

3 Dated this 9th day of January, 2023.

4 /s/ Jami Rebsom

5 Jami Rebsom

6 Attorney for Defendant/Appellant

7 CERTIFICATE OF SERVICE

8 I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF
9 APPEAL with the Clerk of the Montana Supreme Court, and that I have served true and accurate
10 copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of
11 record, each court reporter from whom a transcript will be ordered, and each party not represented by
12 an attorney in the above-referenced District Court action, as follows:

13 Clerk of Supreme Court via efile system

14 Clerk of District Court Gallatin County via email; GallatinDCFilings@mt.gov

15 615 S. 16th Ave.

16 Bozeman, MT 59715

17 Court Reporter

18 Debra Rafferty

19 615 S. 16th Ave., Room 202

20 Bozeman, MT 59715

21 Via email; Debra.Rafferty@mt.gov

22 Eric Kitzmiller

23 Chief Deputy County Attorney

24 1700 West College Suite 200

25 Bozeman, MT 59715

26 Via email; eric.kitzmiller@gallatin.mt.gov

27 Montana Attorney General's Office

28 P.O. Box 201401

Helena, MT 59620-1401

Via email; dojsupremecourtefilings@mt.gov

Dated this 9th day of January, 2023.

/s/Jessica Joubert

Jessica Joubert

CERTIFICATE OF SERVICE

I, Jami L. Rebsom, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 01-09-2023:

Eric N. Kitzmiller (Attorney)
1709 W. College, Suite 200
Bozeman MT 59715
Representing: State of Montana
Service Method: Conventional

Electronically Signed By: Jami L. Rebsom
Dated: 01-09-2023