

Tracy Labin Rhodes  
2000 Dodd Ranch Rd.  
Missoula, MT 59808  
[tracy@labinrhodes.com](mailto:tracy@labinrhodes.com)  
(406) 214-8641  
Respondent/Cross-Appellant

IN THE SUPREME COURT OF THE STATE OF MONTANA  
Cause No. DA 22-0754

JOHN P. RHODES	)	
Plaintiff and Appellant,	)	
	)	
and	)	NOTICE OF CROSS-APPEAL
	)	
TRACY LABIN RHODES	)	
Respondent and Appellee/	)	
Cross-Appellant	)	

Comes now, Tracy Labin Rhodes, the Appellee in the above-captioned action, and Respondent in Montana Fourth Judicial District, Missoula County, Cause No. DR-18-62, and gives NOTICE of her CROSS-APPEAL from the final judgment or order entered in that action on November 28, 2022.

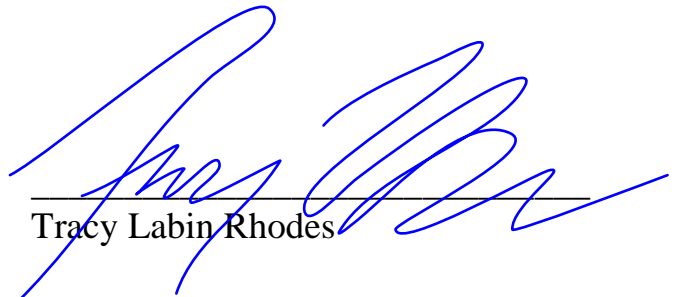
CROSS-APPELLANT further certifies:

1. That this appeal is subject to the mediation process required by M.R.App.P., Rule 7. The money judgment being sought is not less than \$5,000.
2. That this cross-appeal is not an appeal from an order certified as final under M.R.Civ.P., Rule 54 (b).
3. That the notice required by M.R.App.P., Rule 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana

Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.

4. Pursuant to M.R.App.P., Rule 8, it is Petitioner/Appellant's duty to present the Supreme Court with a record sufficient to enable it to rule upon the issues raised, and it is Appellant's duty to request the transcript of proceedings. Appellant has indicated that he does not believe any transcripts are necessary to this appeal. However, Appellant is challenging the Court's Findings of Fact, Conclusions of Law, and Written Order, dated November 28, 2022. This written order expressly relied on and made findings based testimony heard at the August 18 and 19, 2022 dissolution hearing. At minimum, transcripts from those dates are necessary for Appellant to argue his case, and are his duty to request and pay for.
5. That included herewith is the filing fee prescribed by statute.
6. That Cross-Appellant has electronically filed NOTICE OF CROSS-APPEAL with the Fourth Judicial District Court, Missoula County, Cause No. DR-18-62.

Dated this 10<sup>th</sup> day of January, 2023.



---

Tracy Labin Rhodes

## **CERTIFICATE OF SERVICE**

I, Tracy Labin Rhodes, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Cross Appeal to the following on 01-10-2023:

John Rhodes (Appellant)  
7265 Old Grant Creek Road  
Missoula MT 59808  
Service Method: E-mail Delivery

Tracy Labin Rhodes (Appellee)  
2000 Dodd Ranch Road  
Missoula MT 59808  
Service Method: E-mail Delivery

Electronically Signed By: Tracy Labin Rhodes  
Dated: 01-10-2023