

IN THE SUPREME COURT OF THE STATE OF MONTANA

Nos. DA 22-0059 and DA 22-0060

STATE OF MONTANA,

Plaintiff and Appellee,

v.

ROBERT AYRES DASILVA JR.,

Defendant and Appellant.

MOTION TO CONSOLIDATE

Appellant Robert Ayres Dasilva Jr., through counsel of record Layla Turman, moves under M. R. App. P. 4(3)(b) to consolidate DA 22-0059 and DA 22-0060 into DA 22-0059 for purposes of appeal. Counsel requests all future filings to be made under DA 22-0059. Counsel for the State has been contacted regarding this motion and has no objection to consolidation of the above cases.

Consolidation is appropriate because, 1) the offenses alleged in DA-0059 and DA 22-0060 are for violation of the same statutes under similar factual scenarios, 2) the charges were resolved simultaneously under a single plea agreement, 3) the sentences for the charges in each

case were identical, run concurrently to one another and were proclaimed in a single judgment, 4) and Appellant raises the same or similar issues in both cases on appeal.

After careful consideration, undersigned counsel has determined consolidation will save judicial resources and allow counsel to best represent Mr. Dasilva by having these two appeals considered together.

Respectfully submitted this 3rd day of April 2023.

KINDRED LEGAL, PLLC
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By: /s/ Layla A. Turman
Layla A. Turman

CERTIFICATE OF SERVICE

I, Layla Turman, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 04-03-2023:

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Electronically Signed By: Layla Turman
Dated: 04-03-2023