

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 22-0151

STATE OF MONTANA,

Plaintiff and Appellee,

v.

RICHARD HAROLD VIERECK,

Defendant and Appellant.

MOTION TO VOLUNTARILY DISMISS APPEAL

Appellant Richard Harold Viereck moves to voluntarily dismiss his appeal in the above-entitled cause.

Appellant makes the motion pursuant to Mont. R. App. P. 16(4) on the ground that the Appellant does not wish to continue with his appeal. By his signature below, Appellant certifies that he has consulted with his attorney, is satisfied with the representation he has been given, and wishes to dismiss his appeal voluntarily with prejudice. Counsel attests that counsel believes Appellant understands his options and is making a knowing, intelligent, and voluntary waiver of appeal.

The State has been contacted regarding this motion and does not object.

Respectfully submitted the 11th day of may, 2023.

OFFICE OF STATE PUBLIC DEFENDER
APPELLATE DEFENDER DIVISION
P.O. Box 200147
Helena, MT 59620-0147

By: Kristen L. Peterson
KRISTEN L. PETERSON
Appellate Defender

5-11-23
DATE

By: Richard Viereck
RICHARD HAROLD VIERECK
Appellant

5-6-23
DATE

CERTIFICATE OF SERVICE

I, Kristen Lorraine Peterson, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 05-11-2023:

Austin Miles Knudsen (Govt Attorney)
215 N. Sanders
Helena MT 59620
Representing: State of Montana
Service Method: eService

Marcia Jean Boris (Attorney)
Lincoln County Attorney
512 California Avenue
Libby MT 59923
Representing: State of Montana
Service Method: E-mail Delivery

Electronically signed by Kim Harrison on behalf of Kristen Lorraine Peterson
Dated: 05-11-2023