

IN THE SUPREME COURT OF THE STATE OF MONTANA

No.

STATE OF MONTANA,

Plaintiff and Appellee,

v.

NEIL D COLE,

Defendant and Appellant.

NOTICE OF APPEAL

Notice is hereby given that Neil D. Cole, the Appellant above-named and who is the Defendant in the cause of action filed in the Fourth Judicial District, in and for the County of Missoula, as Cause No. DC-20-349, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 6th day of April, 2023.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is not subject to the mediation process required by Mont. R. App. P. 7.

2. That this appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A."

3. That the notice required by Mont. R. App. P. 27 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 if applicable to this appeal.

4. That all relevant transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of Mont. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.

Respectfully submitted this 2nd day of June, 2023.

OFFICE OF STATE PUBLIC DEFENDER
APPELLATE DEFENDER DIVISION
P.O. Box 200147
Helena, MT 59620-0147
By: /s/ Chad Wright
CHAD WRIGHT
Appellate Defender

CERTIFICATE OF SERVICE

I, Chad M. Wright, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 06-02-2023:

Austin Miles Knudsen (Govt Attorney)
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Service Method: eService

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Electronically signed by Pamela S. Rossi on behalf of Chad M. Wright
Dated: 06-02-2023