

IN THE SUPREME COURT OF THE
STATE OF MONTANA

SUPREME COURT CAUSE NO. _____

Megan S. Winderl
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Attorneys for Respondent/Appellant April Rae Berk

DANIEL DIXON BERK,

Petitioner/Appellee,

vs.

APRIL RAE BERK

Respondent/Appellant.

NOTICE OF APPEAL

NOTICE is hereby given that April Rae Berk, the Appellant in the above-named matter and a Defendant in that cause of action filed in the Twenty-First Judicial District Court, in and for the County of Ravalli, as Cause No. DR-41-

2021-0000155, hereby appeals to the Supreme Court of the State of Montana from the *Amended Parenting Plan* entered on July 21, 2023 an all prior related orders.

THE APPELLANT FURTHER CERTIFIES

1. That this appeal is subject to the mediation process required by M.R. App. P.7.
2. That this appeal is not an appeal from an order certified as final under M.R. Civ. P. 54(b).
3. That no notice is required by the M.R. App. P. 27 to the Supreme Court and the Montana Attorney General as this appeal does not challenge the Montana Constitution or an Act of the Montana Legislature.
4. That all available transcripts (no transcripts available: hearing was not held) of the proceedings in this case have been ordered from the court reporter contemporaneously with the filing of this Notice of Appeal.
5. That the filing fee required by statute has been submitted with the filing of this Notice of Appeal.

DATED this 18 day of August, 2023.

MARKETTE & CHOUINARD P.C.
Attorney for Defendant/Appellant

s/ Dustin M. Chouinard
Dustin M. Chouinard
Megan S. Winderl

CERTIFICATE OF SERVICE

I, Dustin M. Chouinard, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 08-18-2023:

Michael L. Hayes (Attorney)
716 South First Street
Hamilton MT 59840
Representing: Daniel Dixon Berk
Service Method: eService

Paige Trautwein (Clerk of District Court)
205 Bedford Street, Suite D
Hamilton MT 59840
Service Method: eService
E-mail Address: ptrautwein@rc.mt.gov

Electronically Signed By: Dustin M. Chouinard
Dated: 08-18-2023