

Form 1  
IN THE SUPREME COURT OF THE STATE OF MONTANA  
Supreme Court Cause No. \_\_\_\_\_  
(To be assigned by the Clerk of the Supreme Court)

Attorney for \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
E-mail \_\_\_\_\_  
Raymond Allen Berry,  
Appellant,

I request to be appointed representation  
from the Missoula Appellant Public Defender  
office.

v.  
State of Montana,  
Appellee.

NOTICE OF APPEAL

NOTICE is given that Raymond Berry, the Appellant above-named and who is the  
Plaintiff (plaintiff/petitioner/other designation) in that cause of action filed in the  
7<sup>th</sup> Judicial District, in and for the County of Richland, as Cause No. DC-42-22-92  
hereby appeals to the Supreme Court of the State of Montana from the final judgment or order  
entered in such action on the 26 day of July, 2023.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal \_\_\_ is/is not X subject to the mediation process required by M. R. App. P. 7. If subject to mediation, the money judgment being sought \_\_\_ is/is not \_\_\_ less than \$5,000.

2. That this appeal \_\_\_ is/is not X an appeal from an order certified as final under M. 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 M. R. App. P. 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. That all available transcripts of the proceedings in this cause \_\_\_ have been/have not been X 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 M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.

5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 29 day of Aug, 2023.

Attorney for \_\_\_\_\_  
CERTIFICATE OF SERVICE

I request representation  
from the Missoula Appellant  
Public Defender's office.

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate