

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 22-0059

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STATE OF MONTANA,

Plaintiff and Appellee,

v.

ROBERT AYRES DASILVA,

Defendant and Appellant.

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**UNOPPOSED MOTION TO DISMISS DUE TO APPELLANT'S  
DEATH**

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COMES NOW, Layla Turman, Contract Counsel for the Appellate Defender Division and respectfully requests this Court dismiss the above-entitled cause. On February 2, 2023, ADD filed a notice of appeal on Mr. DaSilva's behalf.

On October 13, 2023, undersigned counsel learned through staff at the Assistant Attorney General's Office, that Mr. DaSilva had passed away while incarcerated in the Cascade County Jail in Great Falls, MT. Therefore, counsel respectfully requests this Court dismiss the late Mr. DaSilva's appeal.

Opposing counsel has been contacted regarding this motion and does not object.

Respectfully submitted this 17th, day of October 2023.

KINDRED LEGAL, PLLC  
P.O. Box 5789  
Missoula, MT 59806

By: /s/ Layla 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 10-17-2023:

Chad M. Wright (Attorney)  
P.O. Box 200147  
Helena MT 59620-0147  
Representing: Robert Ayres DaSilva  
Service Method: eService

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

Joshua A. Racki (Govt Attorney)  
121 4th Street North  
Suite 2A  
Great Falls MT 59401  
Representing: State of Montana  
Service Method: eService

Mardell Lynn Ployhar (Govt Attorney)  
215 N. Sanders  
Helena MT 59620-1401  
Representing: State of Montana  
Service Method: eService

Electronically Signed By: Layla Turman  
Dated: 10-17-2023