

FILED

11/07/2023

**SUPREME JUDICIAL COURT
Sitting as the Law Court
STATE OF MONTANA**

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 23-0575

**CASE No. DA 23-0575
Held v. Montana, Mont.**

**RIKKI HELD; LANDER B., BADGE B.,
SARIEL S., KIAN T., GEORGIANNA F.,
KATHRYN GRACE S., EVA L., MIKA K.,
OLIVIA V., JEFFREY K., NATHANIEL K.,
CLAIRE V., RUBY D., LILIAN D. and
TALEAH H.**

FILED

NOV - 7 2023

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Respondents,

v.

**STATE OF MONTANA; GOVERNOR
STEVE BULLOCK, MONTANA
DEPARTMENT OF ENVIRONMENTAL
QUALITY, MONTANA DEPARTMENT OF
NATURAL RESOURCES AND
CONSERVATION, MONTANA DEPARTMENT
OF TRANSPORTATION, and
MONTANA PUBLIC SERVICE COMMISSION**

Appellants,

**APPEALED FROM THE
FIRST JUDICIAL DISTRICT COURT OF
LEWIS AND CLARK COUNTY
Held v. Montana, Mont., No. DA 23-0575
Hon. KATHY SEELEY, District Judge**

**Motion for Leave to Appear Amicus in Response to the Ruling by the First
Judicial District Court of Lewis and Clark County Signed by Honorable
District Court Judge Kathy Seeley Aug. 14, 2023**

Continuing the Motion for Leave to Appear Amicus

Pursuant to Title 25. Civil Procedure / Chapter 21. Part 1. Rules of Appellate Procedure, Montana Code Annotated 2014 Rule 16. Motions, comes now Byron L Trackwell, Pro Se respectfully motions for “Leave to Appear Amicus” as to allow this honorable court to file my attached Amicus Curiae Brief. Total submissions are four hard copies of this motion and four hard copies of my Amicus Curiae Brief that supports the Appellants.

Succinct Statement of the Issue & Sought Relief

The Montana district court ruling on a Climate Change (CC) issue, the biggest polarizing political issue facing America & the World, without having the knowledge of fundamental CC geophysics mathematics, that I, as a degreed Engineer of Science respectfully cries out to offer, is the grounds for this “Succinct Statement of the Issue”. This amicus wishes to share CC fundamental geophysics mathematics to this honored court by his attached Amicus Curiae Brief for the Appellants & therefore wishes to receive from this Honored Court approval of his amicus motion for “Leave to Appear Amicus”; these combined amicus wishes is the sought relief.

Movant’s Interest & Reasons Why His Amicus Brief Is Desirable

My interest in CC began in 2015 when as a degreed seasoned practicing science engineer, I became aware of the (UN/UNFCCC/IPCC)’s sponsorship of the 2015 Paris Agreement, an international treaty on climate change adopted at the UN Climate

Change Conference (COP21) in Paris, France, on 12 December 2015. Due to my own interest in the newly emerging CC science, I have continually studied Global Warming in how it relates to CC energy which is totally forgotten about in the available CC literature. That is the reason why it is “desirable” that this honorable court knows the relationship between (NOAA/NASA)’s CC energy & Global Warming to determine the disposition of subject case. That requires approval of my Motion for “Leave to Appear Amicus” followed up by the Motion for Leave to file my amicus curiae brief that is within my attached amicus curiae brief.

Notification To All Parties

All parties, Respondents & Appellants knew of the intention of this amicus to file his amicus curiae brief on October 27, 2023, pursuant to confirmed received emails sent to their email addresses, intentions also known by email to this honorable court. The parties’ email addresses were “provided” by the (Held v. Montana, Mont., No. DA 23-0575)’s ruling by the first judicial district court of Lewis and Clark County signed by honorable district court judge Kathy Seeley Aug. 14, 2023. I have received no responses from the Respondents or the Appellants. The “provided” email addresses will be used to copy this motion for “Leave to Appear Amicus” to all parties. This motion for “Leave to Appear Amicus” is graciously asked to be granted and filed ASAP that this amicus considers desirable for Honoring this Court by bringing Climate Change into the judicial light.

Respectfully submitted & dated November 03, 2023.

Byron L Trackwell BSPE KU 76

Byron L Trackwell

7315 SW 23RD CT
Topeka, KS 66614

I, Byron L Trackwell, Certify That This Motion for “Leave to Appear Amicus” Was Sent in pdf format by Email to Respondents & Appellants addresses below:

Respondents:

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FYI: The Findings of Fact, Conclusions of Law, and Order issued by the First Judicial District Court of Lewis & Clark County Montana & Signed by Hon. KATHY SEELEY, District Judge Aug. 14, 2023, was consulted from:

<https://dailymontanan.com/wp-content/uploads/2023/08/Findings-of-Fact-Conclusions-of-Law-and-Order.pdf>