

IN THE SUPREME COURT OF THE STATE OF MONTANA

No.

STATE OF MONTANA,

Plaintiff and Appellee,

v.

KENNETH WESLEY ROWE,

Defendant and Appellant.

NOTICE OF APPEAL

Notice is hereby given that Kenneth Wesley Rowe, the Appellant above-named and who is the Defendant in the cause of action filed in the Thirteenth Judicial District, in and for the County of Yellowstone, as Cause No. DC 21-39, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 13th day of November, 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 3rd day of January, 2024.

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 01-03-2024:

Scott D. Twito (Govt Attorney)
PO Box 35025
Billings MT 59107
Representing: State of Montana
Service Method: eService

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

District Court Clerk
Service Method: E-mail Delivery
E-mail Address: thalpin@yellowstonecountymt.gov

James Glover (Court Reporter)
9128 Barton Place
Shepherd MT 59079
Service Method: eService
E-mail Address: James.Glover@mt.gov

Claudette Henry (Court Reporter)
P O Box 35028
Billings MT 59107
Service Method: eService
E-mail Address: Claudette.Henry@mt.gov

Electronically signed by Pamela S. Rossi on behalf of Chad M. Wright
Dated: 01-03-2024