

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. \_\_\_\_\_

CITY OF WHITEFISH,

Plaintiff and Appellee,

v.

AARON JOSEPH BROUGHTON,

Defendant and Appellant.

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**NOTICE OF APPEAL**

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Notice is hereby given that Aaron Broughton, the Appellant above-named and who is the Defendant in the cause of action filed in the Eleventh Judicial District, in and for the County of Flathead, as Cause No. DC-23-252, hereby appeals to the Supreme Court of the State of Montana from the December 4, 2023, Eleventh Judicial District Court order remanding to the Whitefish Municipal Court with orders to dismiss the conviction for Trespassing but affirming the conviction for Disorderly Conduct. The Whitefish Municipal Court issued a Sentencing Order After Remanded Appeal on January 29, 2024.

**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 2<sup>nd</sup> day of February, 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 02-02-2024:

Angela Jacobs (Attorney)  
PO Box 158  
Whitefish MT 59937  
Representing: City of Whitefish  
Service Method: eService

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

City of Whitefish Municipal Court Clerk  
275 Flathead Avenue  
Whitefish MT 59935  
Service Method: Conventional

Peg L Allison (Clerk of District Court)  
920 S Main, Ste 300  
Kalispell MT 59901  
Service Method: eService  
E-mail Address: [pallison@flathead.mt.gov](mailto:pallison@flathead.mt.gov)

Electronically signed by Pamela S. Rossi on behalf of Chad M. Wright  
Dated: 02-02-2024