

IN THE SUPREME COURT OF THE STATE OF MONTANA

No.

CITY OF WHITEFISH,

Plaintiff and Appellee,

v.

AARON JOSEPH BROUGHTON,

Defendant and Appellant.

NOTICE OF APPEAL

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 2nd 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

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