

IN THE SUPREME COURT OF THE STATE OF MONTANA
DA 22-0655

STATE OF MONTANA,

Plaintiff and Appellee,

v.

CHRISTOPHER PAUL MCKEEN,

Defendant and Appellant.

**AMENDED UNOPPOSED MOTION TO
WITHDRAW AS COUNSEL OF RECORD
WITH REVISED CERTIFICATE OF SERVICE**

Penelope S. Strong, appointed counsel of record for CHRISTOPHER PAUL MCKEEN hereby moves this Court for leave to withdraw pursuant to § 46-8-103, MCA, *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), and *Penson v. Ohio*, 488 U.S. 75, 80, 109 S.Ct. 346, 102 L.Ed.2d 300 (1988).

This motion is brought on the ground that counsel has been unable to find any non-frivolous issue to raise on appeal, after review of the entire record. By letter dated April 22, 2022, Mr. Christopher McKeen has been informed of this determination and of his right to file a response with the Court. He has also been provided a copy of the brief filed herewith and this motion.

This motion to withdraw is based on the records before this Court, and on the brief filed with this motion, referring to issues which might arguably support the appeal.

DATED this 28th day of March, 2024.

/s/ Penelope S. Strong
PENELOPE S. STRONG
Attorney for Defendant and Appellant

CERTIFICATE OF SERVICE

I, hereby certify that I have filed a true and accurate copy of the foregoing with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing upon each attorney of record, Defendant/Appellant, and each party not represented by attorney in the above-referenced District Court action as follows:

Austin Miles Knudsen
Montana Attorney General
215 N. Sanders
Helena, MT 59620

Mardell Ployhar (Govt Attorney)
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Scott D. Twito (Govt Attorney)
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Billings MT 59107
Representing: State of Montana
Service Method: eService

Christopher Paul McKeen
Dawson Co Correctional Facility
440 Colorado Blvd
Glendive, MT 59330

Dated this 28th day of March, 2024.

/s/ Julie K. Palmersheim
Julie K. Palmersheim

CERTIFICATE OF SERVICE

I, Penelope S. Strong, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 03-28-2024:

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

Austin Miles Knudsen (Govt Attorney)
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Electronically Signed By: Penelope S. Strong
Dated: 03-28-2024