

Form 1
IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. _____
(To be assigned by the Clerk of the Supreme Court)

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Attorneys for Defendant

RYAN PATRICK DONAHUE
Appellant,

v.

NOTICE OF APPEAL

STATE OF MONTANA,
Appellee.

NOTICE is given that Ryan Patrick Donahue, the Appellant above-named and who is the Defendant in that cause of action filed in the Eighteenth Judicial District, in and for the County of Gallatin, as Cause No. DC-21-491CX, hereby appeals to the Supreme Court of the State of Montana from the final judgment entered in such action on the 5 day of March, 2024.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal ____ is not X subject to the mediation process required by M. R. App. P. 7. If subject to mediation, the money judgment being sought ____ is/is not ____ less than \$5,000.
2. That this appeal ____ is not X an appeal from an order certified as final under M. 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 M. R. App. P. 27 has been or 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.
4. That all available transcripts of the proceedings in this cause have been X have not 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 M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.
5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 3 day of May, 2024.

/s/ Nicholas Miller
Attorney for Ryan Patrick Donahue

CERTIFICATE OF SERVICE

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

<input checked="" type="checkbox"/> U.S. Mail	Eric N. Kitzmiller, Assistant Attorney General
<input checked="" type="checkbox"/> E-Mail - efile	Prosecution Services Bureau
<input type="checkbox"/> Hand-Delivery	Montana Department of Justice
<input type="checkbox"/> Facsimile	215 North Sanders
	P.O. Box 201401
	Helena, Montana 59620-
	1401

/s/ Nicholas Miller
Nicholas Miller
May 3, 2024

CERTIFICATE OF SERVICE

I, Nicholas Henry Miller, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 05-03-2024:

Eric N. Kitzmiller (Govt Attorney)
215 N SANDERS ST
HELENA MT 59601-4522
Representing: State of Montana
Service Method: eService

Electronically Signed By: Nicholas Henry Miller
Dated: 05-03-2024