

IN THE SUPREME COURT OF THE STATE OF MONTANA  
Supreme Court Cause No. DA 23-0049

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STATE OF MONTANA,

Plaintiff-Appellee,

vs.

JOSE FRANK PATINA,

Defendants-Appellant.

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**APPELLANT'S REPLY BRIEF**

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On Appeal from the District Court of the Thirteenth Judicial District  
of the State of Montana, In and for the County of Yellowstone,  
Before the Honorable Rod Souza  
Cause No. DC 21-937

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## REPLY

M. R. App. P. 12(3) requires reply briefs be “confined to new matter raised in brief of the appellee.” In its Response Brief, the State did not raise any new “matter” or issue, rather the State’s Response is the mirror image of the Opening Brief, making a reply unwarranted.

This Reply is being filed only to close the record and provide explanation regarding the reasoning why a more thorough reply was not filed.

DATED this 21st day of May 2024.

PEACE LAW GROUP, LLC

/s/Rufus I. Peace

Rufus I. Peace

*Attorney for Appellant/Defendant*

## CERTIFICATE OF COMPLIANCE

Pursuant to Rule 11(4)(e) of the Montana Rules of Appellate Procedure, I certify that this Appellant's Opening Brief is printed with a proportionately spaced Times New Roman text typeface of 14 points; is double spaced except for footnotes, quoted, and indented material; and that the word count calculated by Microsoft Word Professional Edition is 91 words, excluding the Table of Contents, Table of Authorities, Certificate of Service, and Certificate of Compliance.

DATED this 21st day of May 2024.

PEACE LAW GROUP, LLC

/s/Rufus I. Peace

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## **CERTIFICATE OF SERVICE**

I, Rufus I. Peace, hereby certify that I have served true and accurate copies of the foregoing Brief - Appellant's Reply to the following on 05-21-2024:

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