

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. \_\_\_\_\_

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**STATE OF MONTANA,**

Plaintiff and Appellee,

v.

**JAY STEVEN HUBBER,**

Defendant and Appellant.

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**NOTICE OF APPEAL**

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NOTICE IS HEREBY GIVEN pursuant to M.R.App.P. 4(2)(a) and 5(b) that JAY STEVEN HUBBER, the Appellant above-named and who is the Defendant in that cause of action filed in the Montana Second Judicial District Court, Silver Bow County, Cause No. DC-22-12, hereby appeals to the Supreme Court of the State of Montana from the Judgment filed on June 24, 2024.

**The Appellant further certifies:**

1. That this appeal is not subject to the mediation process

required by M.R.App.P. 7(2).

2. That this appeal is not an appeal from an order certified as final under M.R.Civ.P. 54(b).

3. Pursuant to M.R.App.P. 8(3), all available transcripts of the proceedings in this case have been ordered from the court reporter by the Undersigned Counsel on appeal.

4. This is a criminal case and a filing fee is not required with this Notice of Appeal. See, § 3-2-403, MCA.

DATED this 25th day of June, 2024.

By: s/ Palmer Hoovestal  
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Attorney for Defendant and  
Appellant

## 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, each court reporter from whom a transcript will be ordered, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Beth Parks  
Clerk of District Court  
Butte-Silver Bow Courthouse  
155 W. Granite St.  
Butte, MT 59701  
[Beth.Parks@mt.gov](mailto:Beth.Parks@mt.gov)

Kelli Fivey  
Interim County Attorney  
Ann Shea  
Kaitlyn Lamb  
Deputy County Attorneys  
Butte-Silver Bow Courthouse, Room 104  
155 W. Granite St.  
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Kim Carpenter  
Court Reporter  
Butte-Silver Bow Courthouse  
155 W. Granite St., Rm. 309  
Butte, MT 59701  
[kcarpenter@mt.gov](mailto:kcarpenter@mt.gov)

By: s/ Palmer Hoovestal  
Palmer A. Hoovestal, Esq.

## CERTIFICATE OF SERVICE

I, Palmer Hoovestal, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 06-25-2024:

Ann M. Shea (Govt Attorney)  
155 West Granite Street  
County Attorney's Office  
Butte MT 59701  
Representing: State of Montana  
Service Method: eService

Kaitlyn Lamb (Attorney)  
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Representing: State of Montana  
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Kelli Johnson Fivey (Attorney)  
County Courthouse  
155 W. Granite  
Butte MT 59701  
Representing: State of Montana  
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Kimberly Carpenter (Court Reporter)  
155 West Granite Street  
District Court, Department No. 2  
Butte MT 59701  
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Electronically Signed By: Palmer Hoovestal  
Dated: 06-25-2024