

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

**OFFICE OF THE CLERK OF SUPREME COURT**

**P.O. BOX 203003**

**HELENA, MT 59620-3003**

**FAX: (406) 444-5705**

Supreme Court Cause No.

**DA 24-0466**

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AVANLEE CHRISTINA OKRAGLY,

Petitioner/Appellee,

**AGREED MOTION FOR**

vs.

**SECOND EXTENSION TO**

**RESPOND TO M. R. APP. P. 4**

FREDERICK J. KEITEL, III

Respondent/Appellant.

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Frederick J. Keitel, III, ("Respondent/Appellant"), pro se, respectfully files this Agreed Motion for Second Extension to Respond to this Court's August 5, 2024 Notice Requiring Filing of Amended Notice of Appeal or Cross Appeal from Yellowstone District Court, Cause No. DR 2023-1224 by August 16, 2024 stating:

"This matter is not an appeal from an order certified as filed under M.R. Civ. P. 54(b)"

**“YOU ARE HEREBY DIRECTED TO CORRECT THE ABOVE-CHECKED DEFICIENCIES WITHIN 11 DAYS OF THIS NOTICE TO BRING THE NOTICE INTO COMPLIANCE WITH M.R.APP. 4”.**

Respondent/Appellant, pro se, timely filed a Motion for New Trial: Altering or Amending A Judgment Pursuant to Montana R. Civ. P. Rule 59 and Rule 59(e) (with following dates: 60 Days is September 28, 2024 and 120 Days is November 27, 2024) and Motion for Relief from Judgment or Order Pursuant to Rule 60 and 60(b).

There are discrepancies’ between Respondent/Appellant’s filing of motions, pleadings, affidavits and proposed orders in the ROA Filing system in both Billings Municipal Court and the Yellowstone District Court clerk’s office which still exist, despite Respondent/Appellant’s motions previously filed to have the Yellowstone District Court order the clerk’s offices to correct the deficiencies’ and transfer all records to and record all entries in the ROA Listing of the Yellowstone District Court Clerk’s Office.

Respondent/Appellant has reached out, called and emailed the Yellowstone District Court Clerk’s Office to get an updated “corrected” listing and/or explanation.

Respondent/Appellant finally received a response late yesterday, August 27<sup>th</sup> of latest ROA listing, which still doesn’t have all entities, motions and pleadings listed.

Respondent/Appellant also spoke with the Montana Supreme Court clerk's office yesterday, August 27, 2024 to try to find out why Respondent/Appellant is locked out, unable to open or retrieve any of the documents filed in this case, Cause No. DA 23-0466 using the Montana Supreme Court website.

While Respondent/Appellant stated in his appeal in good faith, "That this appeal from an order certified as final under M. R. Civ. P. 54(b)", Respondent/Appellant needs to correct deficiencies or mistakes in original filings and get an agreed listing with the Yellowstone District Court clerk's office or file a unilateral list of the missing documents, which Respondent/Appellant outlined in previous appeal Cause No. DA 23-0433.

Yesterday, August 27, 2024 at 6:06 pm EST, I received an order, Order Setting Hearing on Attorney fees and Costs, signed by Judge Harris, Yellowstone District Court, which affects this case.

Respondent/Appellant thereby requests additional time to respond to the Court's Order,

This Agreed Motion for extension until Monday September 16, 2024 is made good faith, isn't for delay and will not prejudice Petitioner/Appellee.

Respondent/Appellant requests this Court issue an Order extending an answer until Monday, September 16, 2024 to file an answer.

WHEREFORE Respondent/Appellant files this Agreed Motion to file answer  
September 16, 2024 to this Court's Order and for any other relief deemed  
appropriate.

/s/ Frederick J. Keitel, III

Frederick J. Keitel, III, pro se  
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Fax n/a  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 27, 2024 a true copy of the attached Notice of Appeal was faxed via (406) 444-5705 to Office of the Clerk of Court, Montana Supreme Court, Room 323 Justice Building, 215 N. Sanders, P.O. Box , Helena Montana, and filed with the Yellowstone County Clerk of the Court, 13<sup>th</sup> District Court, 217 N. 27<sup>th</sup> Street, 6<sup>th</sup> Floor, Billings, Montana 35051: DC-case Joseph M. Raffiani, and all Counsel.

/s/ Frederick J. Keitel, III,

Frederick J. Keitel, III, pro se

