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IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. _____

BUDDY ROBERT ROY GRAY,
a/k/a BUDDY GRAY,

Appellant,

v.

STATE OF MONTANA,

Appellee.

**VERIFIED PETITION FOR
OUT OF TIME APPEAL**

Comes now, Appellant, Buddy Robert Roy Gray, a/k/a Buddy Gray, by and through Counsel of Record, Scotti Ramberg, hereby requests the Supreme Court of the State of Montana, grant Appellant's Petition for Out of Time Appeal, pursuant Montana Rules of Appellate Procedure, Rule 4(b)(6).

M. R. App. P. 4(b)(6). provides that in the infrequent harsh case and under extraordinary circumstances amounting to a gross miscarriage of justice, the Supreme Court may grant an out-of-time appeal.

Here, Mr. Gray was not informed of his right to appeal, rather was only given a Sentence Review Division form, which he filled out, returned and was granted a Sentence Review Hearing. Upon being granted a hearing, the undersigned was appointed to represent Mr. Gray in the

Sentence Review Hearing. In her review of the record, Counsel found many issues that are better address on appeal rather than in a Sentence Review Hearing, that are detailed in her declaration, filed contemporaneously. Here it is not just a matter of inadvertence, excusable neglect, or mere mistake. The errors that occurred in Mr. Grays case are those that should outrage the average attorney. When compiled with what appear to be misrepresentations to the Office of Disciplinary Counsel and blatant falsehoods testified to by a Probation Officer of this State (clearly shown by the Court record and is not mere conjecture), it is unconscionable that these issues were not appealed or appropriately addressed before now. Attached for the Court's review are the Case Register and Docket Nos. 15, 22, 23, 53, 55, 56, 70, 71, 73, 74 89, 90, 97, and 111. The undersigned advises the Court that she does not have access to all of the Court's filings due to not being the attorney of record in District Court.

CONCLUSION

Therefore, service of justice requires this Court grant Appellant's Petition for Out-of-Time Appeal, as to not, would constitute a gross miscarriage of justice and unduly punish Mr. Gray for matters outside his control.

VERIFICATION

I declare under penalty of perjury pursuant to the laws of the State of Montana that the foregoing statement is true and correct to the best of my knowledge, information and belief.

Dated this 1st day of August, 2024



Buddy Robert Roy Gray a/k/a Buddy Gray

Respectfully submitted, this 1st day of August, 2024

/s/ *Scotti Ramberg*

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CERTIFICATE OF SERVICE

I, Scotti Ramberg, hereby certify that I have served true and accurate copies of the foregoing Petition - Out of Time Appeal to the following on 09-22-2024:

Austin Miles Knudsen (Govt Attorney)
215 N. Sanders
Helena MT 59620
Representing: State of Montana
Service Method: eService

Gray Buddy (Petitioner)
1715 10th Ave. North
Great Falls MT 59401
Representing: Self-Represented
Service Method: Conventional

Electronically Signed By: Scotti Ramberg
Dated: 09-22-2024