

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 24-0284

STATE OF MONTANA,

Plaintiff and Appellee,

v.

O R D E R

RYAN PATRICK DONAHUE,

Defendant and Appellant.

This Court reviews briefs to ensure compliance with the Montana Rules of Appellate Procedure. After reviewing the Appellant's opening brief filed electronically on November 1, 2024, this Court has determined that the brief does not comply with the below-referenced Rule.

M. R. App. P. 10(2) requires that "[i]n criminal cases appealed by the defendant" all briefs "shall be served on both the county attorney and the attorney general." Appellant's certificate of service indicates he served Eric Kitzmiller (Assistant Attorney General and Prosecutor) and Austin Knudsen (Attorney General) at the Attorney General's office. Appellant must serve the Gallatin County Attorney's office with a copy of the Appellant's opening brief.

IT IS THEREFORE ORDERED that the Appellant serve a copy of his opening brief on the Gallatin County Attorney and file an amended certificate of service with the Clerk of this Court within ten (10) days of the date of this Order;

IT IS FURTHER ORDERED that no changes, additions, or deletions other than those specified in this Order may be made to the brief as originally filed; and

IT IS FURTHER ORDERED that the times for any subsequent briefing contained in M. R. App. P. 13 shall run from the date of filing of the amended certificate of service.

The Clerk is directed to accept the Appellant's opening brief for filing and to provide a true copy of this Order to all counsel of record.

Electronically signed by:
Beth Baker
Justice, Montana Supreme Court
November 4 2024