

 ORIGINAL

**FILED**

02/10/2025

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 24-0574

**IN THE SUPREME COURT OF THE STATE OF MONTANA**  
**CASE No: DA-24\_0574**

**Kelly Allen**  
Petitioner,  
v.  
**Juliette Angelo**  
Respondent.

**FILED**

FEB 10 2025

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

**MOTION FOR APPOINTMENT OF COUNSEL**

COMES NOW, **Kelly Allen** the Petitioner in the above-captioned matter, and respectfully moves this Honorable Court for the appointment of counsel to represent me in my appeal before the Supreme Court. In support of this motion, I state as follows:

**1. Introduction**

I am seeking legal representation to assist in my appeal of an unjust **40-year protective order** issued against me, barring me from my own daughter. The right to legal counsel is fundamental, and without professional representation, I am unable to effectively present my case. Despite exhaustive efforts, I have been unable to obtain legal representation on my own.

**2. Efforts to Obtain Counsel**

Over the past several months, I have reached out to more than **60 attorneys**, presenting my case to secure representation. However, I have been repeatedly turned away. Additionally:

- I have contacted the **Billings Library for legal assistance**, but no legal aid was available without an attorney.
- I have sought guidance from **court clerks**, but they are unable to provide legal assistance.
- I have exhausted all known legal resources and still have no means to effectively present my case in court.
- I received a **thumb drive from one of the municipal courts on Judge Kolar**, which was difficult to transcribe, further complicating my ability to prepare my case.

**3. Need for Legal Representation**

This case involves complex legal arguments and procedural requirements that I, as a pro se litigant, am not adequately equipped to navigate. The assistance of legal counsel is necessary to:

- Ensure my constitutional rights to due process and fair legal representation are upheld.
- Properly present my appeal to the Supreme Court.
- Address the legal and factual errors that led to the issuance of the 40-year protective order.
- Advocate for my parental rights and challenge the unjust restrictions placed upon me.



### CERTIFICATE OF SERVICE

I certify that I filed this

Petition

Motion

Other motion for appointment of Counsel  
[Name of document]

with the Clerk of the Montana Supreme Court and that I have mailed or hand delivered a copy to each attorney of record and any other party not represented by counsel as follows:

Tuliette Angelo  
[Name of opposing counsel]  
535 North 24<sup>th</sup> St #22

Billings, Montana  
[Address]

Counsel for \_\_\_\_\_

Kelly Allen  
[Other party representing himself or herself]

248 Union Blvd Tampa, VT  
[Address] 07512

DATED this 2 day of 10, 2025.

\_\_\_\_\_  
[Signature]

Kelly Allen  
[Print name]



# Order of Protection

Order Effective Until July 11, 2003

Order Effective Until July 11, 2003

Case No. 03-103-00246010-00P

Court: District Court

Jurisdiction: District

State: Montana

## Petitioner/Plaintiff

Central, MT 59710  
145 2nd St SW  
Butte, MT 59710

## Petitioner/Plaintiff Identifiers

DOB: 01/15/1970  
SEX: Female  
RACE: White  
HEIGHT: 5'03"  
WEIGHT: 110 lbs

## Respondent

Kelly A Allen  
145 2nd St SW  
Butte, MT 59710

Relationship to Respondent

- None
- Spouse
- Parent
- Child
- Sibling
- Other

SEX	RACE	DOB	HEIGHT	WEIGHT
Female	White	01/15/1970	5'03"	110

EYES	HAIR	SOCIAL SECURITY NUMBER
Blue	Brown	

DRIVERS LICENSE	STATE	EXP DATE

VEH. MAKE/MODEL	COLOR	PLATE NUMBER

### Distinguishing Features:

### Caution:

This Court has jurisdiction over the matter and subject matter. The Court has jurisdiction over the matter and subject matter. This Court has jurisdiction over the matter and subject matter.

### FINDINGS

- The Court has jurisdiction over the matter and subject matter.
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- 12. The Respondent shall be responsible for the Order of Protection, the Petitioner may apply for a protective order under Montana Code Ann. § 45-5-220 or § 45-5-626 and make a copy of this Order to the Sheriff.
- 13. This Order shall be in full force and effect until the Respondent is removed from the State of Montana, any U.S. Territory, and any possession of the United States (Mont. Code Ann. § 45-5-220), including the Respondent's travel to another state, or until the Respondent is removed from the State of Montana (42 U.S.C. Section 922(a)(1)(B)).
- 14. The Sheriff shall serve the law created to serve without cost to the Respondent a copy of the Order of Protection, upon the Respondent, unless the Respondent is the Clerk of the Court. This Respondent shall be served as soon as possible and after the hearing of the Respondent. A copy of the Order of Protection shall be filed with the Clerk of Court is hereby directed to a sheriff who so promptly received a copy of the Order of Protection with a return of the proof of service to the Sheriff for enforcement agency at The Federal Judiciary Sheriff.
- 15. **Future Notices:** The Respondent hereby waives their right to a personal service and agrees that all future notices of their to may be served by mail.
- 16. A hearing on this Order, including whether it should be made into an Order of Protection for a specific time or effective permanently, will be held before this Court on **July 11, 2023 at 10:30 AM**, or as soon thereafter as the matter may be heard. The hearing will be on the Second Floor of City Hall located at 220 North 27th Street Billings, Montana 59101. This Temporary Order of Protection shall remain in full force and effect until the hearing.

**WARNINGS**

**Warning:** If you do not appear at the hearing, the petition shall be dismissed. You should immediately report any violation of this Order to law enforcement. You also have the right to return to court to report any violation of this Order.

**Warning:** If you fail to appear for the hearing, the judge will make a decision about the Order of Protection in your absence. A copy of protection may be issued against you. This decision could affect your ability to own or possess firearms.

**Violation of this Order may be a criminal offense under applicable Federal or Tribal law and is a criminal offense under Mont. Code Ann. § 45-5-220 or § 45-5-626 and may carry penalties of up to \$10,000 in fines and up to a 5 year jail sentence. This Order is issued by the Court and the Respondent is forbidden to do any act listed in the Order, even if invited by the Petitioner or another person. It may be a crime for any other person to encourage or invite contact between the Petitioner and the Respondent, unless such contact is expressly permitted by this Order. This Order may be amended only by further Order of this Court or another court that assumes jurisdiction over this matter.**

ISSUED BY: [Signature]

Served on Respondent by [Signature]

I, the undersigned, Sheriff of the State of Montana, do hereby certify that I have served a copy of the Order of Protection on the Respondent at the following address: [Address] on [Date] at [Time] hours.

I, the undersigned, Sheriff of the State of Montana, do hereby certify that I have served a copy of the Order of Protection on the Respondent at the following address: [Address] on [Date] at [Time] hours.

**ATTENTION: FOR A COPY OF THIS ORDER IN YOUR POSSESSION AT ALL TIMES IN ORDER TO ASSIST LEADY OFFICER. IMMEDIATELY REPORT VIOLATION OF THIS ORDER TO LAW ENFORCEMENT.**

**CERTIFICATE OF SERVICE**

Served upon the **RESPONDENT** by delivering a copy to him/her at \_\_\_\_\_ (location), on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ hours.

Signature: \_\_\_\_\_

Agency: \_\_\_\_\_

A hearing was held on July 11, 2004 in the presence of Temporary Order of Protection, of which the Respondent had notice, and THE COURT FINDS the Petitioner and/or Protected Person(s) are in danger of harm and there is good cause for the Order of Protection to remain in full force and effect for 90 days.

Justice K. Argon was present at this hearing  
 \_\_\_\_\_ was present

Kelly A. Allen was present  
 \_\_\_\_\_ was present

**ORDER**

1.  Respondent shall not threaten to commit or commit acts of violence against Petitioner and/or the following Protected Person(s):
2.  Respondent shall not harass, annoy, disturb the peace of, telephone, email, contact, or otherwise communicate, in person or indirectly, with Petitioner and/or the following Protected Person(s):
3.  Respondent shall not take the following child(ren) out of the County or State:  
Petitioner
4.  Respondent shall stay at least **1500** feet away from:
  - Petitioner
  - Petitioner's Residence: 535 N 34th Street #22, Billings, MT 59101
  - Petitioner's address is confidential and wishes it to remain so
  - Petitioner's Work
  - Petitioner's or protected person's vehicle
  - Minor Children:
  - The Children's school or childcare:
  - Other protected people:
  - Other: (describe):
5.  Respondent shall not possess firearms.
6.  Respondent shall not take, hide, sell, damage or dispose of any property.
7.  Respondent shall give Petitioner and/or the Protected Person(s)'s possession or use of the following items (items may include the residence, automobile, and other essential personal property no matter who owns it):
8.  The Park County Sheriff shall:
  - Remove the Respondent from the residence at: \_\_\_\_\_  
The time for removal shall be at the peace officer's discretion, but no later than \_\_\_\_\_ hours after service of this Order.
  - Place the Petitioner and/or the Protected Person(s) in possession of the residence at: \_\_\_\_\_
  - Supervise the removal of:
    - Petitioner's and/or Protected Person(s)'s property listed in Number 7.
    - Respondent's items needed for employment and necessary personal effects (at The Park County Sheriff's discretion) from the residence.
9. **Other Relief:**
  - The following is also ordered to provide for the safety and welfare of Petitioner and/or the Protected Person(s): **THE RESPONDENT MAY NOT POST OR UTILIZE SOCIAL MEDIA IN REGARDS TO THE PETITIONER IN ANY FORM.**
  - Respondent shall NOT have contact with the child(ren) until further Order of the Court.
  - Supervised visitation is necessary:
    - supervised by: \_\_\_\_\_
    - neutral drop off/pick up location: \_\_\_\_\_
    - child(ren) to be transported by: \_\_\_\_\_
  - Temporary visitation shall be awarded as follows: \_\_\_\_\_  
This visitation schedule shall be in effect until \_\_\_\_\_, 20\_\_\_\_. The parties are encouraged to file an action in the appropriate District or Tribal Court for permanent parenting arrangements.
  - Neither party shall remove the child(ren) from Yellowstone County.
  - Other relief: \_\_\_\_\_
10. If any term of another Order conflicts with any term of this Order, you must follow the more restrictive term.
11. The parties shall keep the Court informed of their current mailing addresses.