

FILED

04/09/2025

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 25-0262

NAME: DOMINGO BAEZ – PRO SE LITIGANT
MAILING ADDRESS: 267 WESTCHESTER SQ N – D2
BILLINGS, MT., 59105
PHONE NUMBER: 406-697-0860
domingo.baez1969@gmail.com

CLERK OF THE
DISTRICT COURT
TERRY HALPIN

2025 APR -7 P 4:16

MONTANA 13TH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY

FILED

BY

DEPUTY

DOMINGO BAEZ, JR

APPELLANT

and

HANNAH GALIA SNELSON,

Respondent/Defendant

Cause No.: DR 23-0061

JUDGE BRETT D LINNEWEBER

MT SUPREME COURT

NOTICE OF APPEAL

TO: THE CLERK OF THE DISTRICT COURT AND ALL PARTIES:

Pursuant to **M. R. App. P. 4**, Appellant **DOMINGO BAEZ**, hereby appeals to the Montana Supreme Court from the following:

- This Notice Of Appeal is timely filed under **M. R. App. P. 4**, despite Jhevon McMillan and the Akaigo Law Firm giving the Appellant the Final order on March 12, 2025, 5 days after its release.
- The Findings of Fact, Conclusions of Law, Final Parenting Plan, and Decree of Dissolution, dated March 7, 2025;
- The amended Order of Protection, also dated March 7, 2025, specifically the addition and subsequent removal of the minor child as a protected person without evidentiary basis;
- Any and all interlocutory and final orders, evidentiary rulings, and procedural decisions which cumulatively violated Appellant’s constitutional rights, due process, and right to a fair trial, and materially contributed to the denial of his parental rights and the welfare of his minor child.

GROUND FOR APPEAL

I. Constitutional Violations and Due Process Denial

Appellant raises serious claims of due process violations under the 5th and 14th Amendments of the U.S. Constitution and corresponding Montana constitutional protections. These include:

- The denial of Appellant's right to present relevant and exculpatory evidence.
- The court's acceptance of unverified or false claims by Appellee and her counsel, while excluding substantiated evidence submitted by Appellant.
- Improper application of a civil Order of Protection to criminalize constitutionally protected parental actions.
- Selective enforcement of judicial rulings, including refusal to rule on Appellant's motions while swiftly granting opposing counsel's requests.
- The Courts statements in the December 3, 2024, hearing that he would not grant any of Appellants motions.

II. Concealment of Mental Health Conditions and Family History

Appellee and her parents, Fred and Julie Snelson, engaged in a long-standing and documented pattern of concealing Appellee's mental health history—including diagnoses of Dissociative Identity Disorder, Bipolar Disorder, PTSD, Postpartum Depression after the birth of our son DBIII, anxiety and depression, suicidal threats and ideation, and repeated acts of self-harm including burning and cutting—as well as over 30 police interactions and multiple CPS investigations in Montana and Wyoming ranging from threats, harassment, domestic abuse and violence, suicidal threats and ideation, suicidal attempts, manic episodes and severe mental health issues, vehicle theft, allegations that her fiancé had possession of a machete.

Appellant personally experienced and witnessed these behaviors firsthand as documented by police incident reports, text messages, emails and text messages. Appellant also participated in discussions with professionals such as Dr. Jerry Mungadze, Dr. Eric Arzubi, and Dr. Morrow of The Amen Clinics. Despite presenting this in discovery, the trial court relied solely on the one-sided and incomplete narrative presented by the Appellee and her parents by the unqualified opinion of Charles Shipley, a counselor without the professional credentials to override medical experts.

Notably, the Snelsons testified before the Wyoming Legislature on April 27, 2023, in an attempt to criminalize child custody interference without disclosing their daughter's extensive mental health background, suicidal ideations, threats and an attempt on May 1, 2023, self-harm by cutting incident on May 2-3, 2023. They also filed a police report against the father of Galia's oldest child in Billings, MT, and Cody, WY, for abduction claiming FBI involvement but failed to inform authorities of a court order granting the father custody and permission to take his child to Powell, WY., where he resides.

The family has a pattern of Doctor Shopping and here is a list of the mental health providers used in the past 4 years.

Virginia Rightmier- Clinical Social Worker
926 Main St STE 18, Billings, MT 59105
406-252-1444

Dr Eric Arzubi MD -Psychiatrist
1020 N 27th St
Billings, MT 59102
406-200-8471

Julie Wulfekuhle-Social Worker/Therapist and
Athena Martel-LAC
1445 Ave B
Billings, MT 59102
406-696-2814

Dr Morrow-Amen Clinic
There was another DR that took over for Dr Morrow after he transferred...
969 South Coast Drive #100
Costa Mesa, CA 92626
949-266-3700

Dr Jerry J Mungadze-PhD
Right Brain Therapy/Trauma Specialist
1901 Central Dr #602
Bedford, TX 76021
682-559-4779
210-471-9331
682-365-7127
rightbraintherapy8@gmail.com

Dr Svetlana Yakov - Psychiatrist
2110 Overland Dr
Billings, MT 59102
406-702-0795

Meadowlark Recovery Services (Does not exist)
1925 Grand Ave Ste. 124
Billings, MT 59102
406-252-3851

Charles Shipley-Licensed Professional Counselor
1949 Sugarland Dr
Sheridan, WY 82801
307-674-8686

III. Ineffective Assistance of Counsel

Appellant's ability to fairly present his case was materially impaired by the actions or inactions of three attorneys:

- **Cammy Woodward:** On May 25, 2023 Ms. Woodward met with the represented Hannah Galia Snelson in person and her mother by phone without authorization. After that meeting, her representation drastically declined. After my family and I suffered a weekend of harassment by Appellee, Appellant rescinded a settlement agreement, prompting Woodward's firm to withdraw, stating that they "do not renege on offers," and leaving Appellant without counsel. Appellant was subsequently charged for the unauthorized meeting.
- **Mark Hilario:** Failed to file critical motions including a motion for the restoration of visitation, discovery enforcement, challenges to the report submitted by Charles Shipley as compared to the report submitted by Dr. Mungadze, parental evaluations by the Family Relations Department or to address the minor child's worsening medical and behavioral health. Ignored medical neglect and failed to advocate for Appellant's parental rights, resulting in the child being taken from a nurturing environment and placed in a setting that led to digestive problems causing vomiting and constant diarrhea, diaper candidiasis, speech delays and behavioral issues leading to a suspension from daycare for lashing out, yelling and hitting other children. He then filed a motion to withdraw in retaliation for a motion filed by Appellant for his termination citing false allegations that the Appellant would not listen to him, wanted him to move in an unethical manner or a manner that he just did not want to do. A prejudicial narrative that was adopted by the court.
- **Jhevon McMillan:** Failed to file Appellant's parenting plan, final disclosure, or financial affidavit. Allowed the judge and opposing party's narrative to go unchallenged, contributing to an adverse ruling. Informed Appellant of his intentions to withdraw on March 11, 2025, on March 12, 2025, provided Appellant courts order dated March 7, 2025, then withdrew on March 13, 2025. The judge granted his motion the same day it was filed. Be advised that Appellant did not receive the court's final order until five days after the final order had been issued, thereby cutting into Appellant's appeal window. Mr. McMillan and his law firm completely failed in their representation of the Appellant then proceeded to provide an inflated invoice that does not reflect at all the representation promised and provided and that ended up in an adverse ruling against the Appellant.

IV. Judicial Bias and Misconduct

The district court judge:

- Excluded Dr. Mungadze’s expert testimony for being “from another courtroom” while allowing testimony of the Parental Evaluation report conducted by Chris McCaan—never disclosed during discovery—without cross-examination.
- Adopted allegations from the other custody case involving Appellees daughter that Appellant and the other father were conspiring to “destroy Galia,” and the cause of her mental distress and issues, further using those findings as facts in this case without affording Appellant a chance to respond.
- Allowed opposing counsel to submit two selective and misleading videos portraying Appellant in a negative light without considering the true nature and context of those videos, while rejecting a relevant video showing Appellee’s father brandishing a firearm at the Appellants and Appellees residence without notice while Appellee was at the house of Appellants mother attempting to remove the child. It was later uncovered that Appellee had filed an OOP and named the child as a protected person, and Appellee had a plane ticket to leave for Vegas the next day.
- Repeatedly refused to admit Appellant’s exhibits, while maintaining possession and allowing opposing counsel to retain them.

Furthermore, the judge:

- Directed opposing counsel to file a Rule 10 motion against Appellant, demonstrating an unfairly prejudicial stance after remanding Appellant for 10 days for contempt. Furthermore, the judge and opposing counsel knew that Appellant was in custody but sent said motion to his place of residence, four more of those days fell on weekends and led up to Christmas Eve.
- Exercised selective judicial control by granting opposing counsel’s requests swiftly while ignoring Appellant’s motions and evidence altogether.
- Excluded crucial evidence presented by Appellant, such as police and CPS reports and medical evaluations, and undermined Appellant’s ability to defend his rights and the welfare of his child.

V. Misuse of the Order of Protection

The August 7, 2024, Order of Protection was used not for genuine protection but as a strategic legal tool by Appellee, her parents, the judge and her counsel to:

- Isolate the Appellant from his child;
- Prevent Appellant from participating in the child’s medical treatment;
- Criminalize routine parental contact, including calls made in the context of the child’s illness.

Despite the lack of evidence showing any direct harm or danger to the child, the order was extended to include the minor child without justification. It was later removed in the March 7, 2025, final order. Still, the judge never addressed the trauma caused by separating a toddler from his primary caregiver and father for the majority of his first 22 months of life.

VI. Best Interest of the Child Ignored

The court failed to evaluate the case under the best interest factors of Montana law (MCA § 40-4-212), including but not limited to:

- The mental health of the parents;
- Chemical dependency;
- The continuity and stability of care;
- The developmental and medical needs of the child;
- The child's adjustment and attachment to the primary caregiver.

The ruling failed to acknowledge that DBIII's medical and emotional deterioration coincided with his removal from the Appellant, who had cared for him since birth. The mother's behavior, including partying late, providing false medical information, treating the child as lactose intolerant despite doctors clearing him of a milk protein intolerance, false claims of asthma, scheduling and cancelling doctor's visits and medical neglect leading to historic ER visits or complete medical denial and neglect—was dismissed without proper evaluation or oversight.

VII. Procedural Errors and Due Process Violations

- **Failure to Allow Full Presentation of Evidence:** The court's refusal to allow the Respondent's parenting plan and final disclosure and financial affidavit into evidence, based on the Appellants failure to file a motion for leave to file critical documents after the closure of evidence, while accepting late filings including anger management assessment, drug and alcohol assessment, and the mental health evaluation. The failure to consider these documents resulted in an unjust outcome that denied the Respondent a fair opportunity to present his case.
 - **Court's Prejudicial Actions Regarding Motions and Evidence:** The trial court's exclusion of rebuttal evidence and refusal to allow the Respondent to present key witnesses left the Respondent unable to fully defend his parental rights. Then held the Appellant responsible for failure to present evidence and rebuttal testimony. The court accepted testimony from the opposing party without proper challenge and used false or misleading statements in its final ruling, including claims related to the diagnosis of Dissociative Identity Disorder and other mental health issues.
-

VIII. Legal Precedents and Case Law

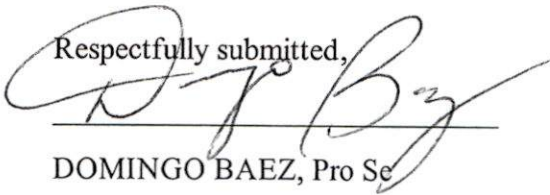
The Appellant asserts that the trial court's actions contravened established case law regarding parental rights and best interest standards. Specifically:

- Troxel v. Granville, 530 U.S. 57 (2000): The U.S. Supreme Court held that a parent has a constitutional right to make decisions regarding the upbringing of their child without undue interference from the state. The court's failure to allow the Respondent to present evidence, testify on his behalf, and make legal decisions in the best interest of the child infringes on this fundamental right.

IX. Conclusion

For the reasons outlined above, Domingo Baez JR respectfully requests that the Supreme Court of Montana grant this appeal, reverse the trial court's February 25, 2025 order, and remand the case for a new trial in which all relevant evidence, including the Respondent's parenting plan, financial affidavit, final disclosure, and medical records, is properly considered.

Respectfully submitted,



DOMINGO BAEZ, Pro Se

Certificate of Service

I, Domingo Baez, hereby certify that true and correct copies of the foregoing Motion, any referenced Affidavit, and other documents indicated above filed as attachments to this Motion were served upon the opposing party(ies) on the 22 day of, ~~November~~, 2024, by the method and at the address as indicated below:

8 03 APRIL 5 03
Adrian Gosch
Name
2525 6th Avenue N
Address
Billings, MT 59101
City/State/Zip Code

U.S. mail, first class postage prepaid:

Hand Delivery

Jhevon McMillan
Name
2822 3rd Ave N
Address
Billings, MT 59101
City/State/Zip Code

U.S. mail, first class postage prepaid:

Hand Delivery

Mark Hilario
Name
902 Central AVE
Address
Billings, MT 59102
City/State/Zip Code

U.S. mail, first class postage prepaid:

Hand Delivery

Cammi Woodward
Name
49 N 15th Street
Address
Billings, MT 59101
City/State/Zip Code

U.S. mail, first class postage prepaid:

Hand Delivery

DATED this 07 day of, April, 2025.



DOMINGO BAEZ-RESPONDENT


4/8/2025

NOTARIAL CERTIFICATE

Verification on Oath or Affirmation (Jurat)

State of MONTANA

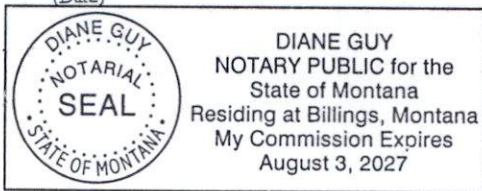
County of YELLOWSTONE

The attached record was signed and sworn to or affirmed before me on

04/08/2025 by DOMINGO BAEZ JR

(Date)

(Name of signer(s).)



Diane Guy
(Notary Signature)

[Affix stamp above]

This certificate has been attached to the NOTICE OF APPEAL
(Type of record or document)

consisting of 8 page(s), dated 4/7/2025

Any evidence that this certificate has been detached or removed from the above described document may render the notarization invalid or unacceptable.