

**ORIGINAL**

**FILED**

05/28/2025

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 24-0574

**SUPREME COURT OF THE STATE OF MONTANA**

Case No.: DA 24-0574

**FILED**

**MAY 28 2025**

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

**KELLY A. ALLEN,**

Petitioner and Appellant,

v.

**JULIETTE R. ANGELO,**

Respondent and Appellee.

**PETITION FOR REHEARING**

COMES NOW Petitioner and Appellant, Kelly A. Allen, appearing pro se, and respectfully petitions this Honorable Court for rehearing pursuant to Rule 20 of the Montana Rules of Appellate Procedure. The basis for this petition is that the Court has overlooked or misapprehended material facts and applicable law in its decision denying Appellant's appeal.

1. This appeal involves an unprecedented and constitutionally excessive forty-year Order of Protection issued against Appellant, which was affirmed without sufficient supporting evidence and in disregard of Appellant's due process rights.
2. Appellant respectfully submits that the Court overlooked material facts regarding the lack of findings by the trial court to support such an extraordinary and punitive duration, and failed to consider the absence of any current or ongoing threat to justify the imposition of a decades-long restraint.
3. The trial record shows no factual basis for a 40-year order under Montana law, and Appellee failed to file a response brief despite receiving proper service, thereby waiving opposition under Mont. R. App. P. 13(1).
4. The Court's affirmance risks establishing a precedent that allows permanent or near-lifetime protective orders without a current showing of danger, in direct conflict with Montana precedent, including *In re M.J.S.*, 2023 MT 142N, and *In re Marriage of Williams*, 2021 MT 78.
5. Appellant respectfully requests the Court to reconsider its ruling, vacate the Order of Protection, or remand the matter to the lower court for proper evidentiary findings under applicable constitutional and statutory standards.

WHEREFORE, Appellant respectfully requests that this Honorable Court grant this Petition for Rehearing and such other relief as may be just and proper.

Respectfully submitted,



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Kelly A. Allen

Pro Se Appellant

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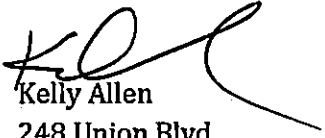
[fdomisskelly@aol.com](mailto:fdomisskelly@aol.com)

CERTIFICATE OF SERVICE

I hereby certify that on this 21 day of May 2025, I served a true and correct copy of the foregoing Petition for Rehearing by U.S. Certified Mail

upon the following:

Juliette Angelo  
535 North 24th Street #22  
Billings, MT 59101

  
Kelly Allen  
248 Union Blvd  
Totowa, NJ 07512  
Email: fdomisskelly@aol.com

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