

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 25-0301

FILED

07/22/2025

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 25-0301

IN RE THE MARRIAGE OF:

JUSTINE A. WATKINS,

Petitioner and Appellee,

and

SETH MICHAEL WATKINS,

Respondent and Appellant.

FILED

JUL 22 2025

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

Through counsel, Appellee Justine A. Watkins (Justine) moves this Court for dismissal of this appeal. Justine provides that she was unsuccessful in her attempts to contact Seth. M. R. App. P. 16(1). Self-represented Appellant Seth Michael Watkins (Seth) has not filed a response to the motion.

Justine moves for dismissal of this appeal because Seth's opening brief does not comply with the Montana Rules of Appellate Procedure, specifically M. R. App. P. 12. Alternatively, Justine requests that the current briefing schedule be vacated pending the preparation of the relevant transcripts and Seth's compliance with the rules. Justine points out that Seth fails to include a copy of the order or orders he seeks to appeal, pursuant to M. R. App. P. 12(1)(i) and that Seth has not adhered to the rules concerning the statement of the case, issues for review, and standard of review. *See* M. R. App. P. 12(c), 12(b), and 12(e); *Johnson v. Costco Wholesale*, 2007 MT 43, ¶ 15, 336 Mont. 105, 152 P.3d 727. Justine explains that Seth's requests for relief in his brief refer to an interlocutory order, which are not appealable. M. R. App. P. 6(5)(f). Justine provides that Seth is not appealing a final judgment, pursuant to M. R. App. P. 4(1), because the District Court has not held a final hearing or issued a final decree. Justine concludes that his appeal is premature.

This Court has reviewed the docket sheet. On May 5, 2025, Seth filed an Amended Notice of Appeal to include service to the Clerk of District Court for Ravalli County, as

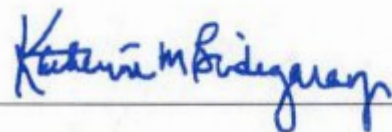
directed by the Clerk of the Supreme Court. Within that Notice, Seth pointed to an April 21, 2025 Order that granted Justine's Motion, naming Seth a vexatious litigant, and where the District Court also granted Justine's Motions: to enforce financial obligations; to deny Seth's motion to vacate contempt; and to deny his request for a stay pending appeal. This Court received the electronic record on May 1, 2025, and on June 3, 2025, a transcript for an April 1, 2025 hearing on Justine's Motion to enforce financial obligations. This Court observes that while Justine may have received a copy of Seth's opening brief, Seth did not file an opening brief with this Court on or before July 3, 2025. M. R. App. P. 13(1). Upon review of the District Court's record, there is no final judgment that settles all claims and controversies in this appeal. M. R. App. P. 4(1)(a). We conclude that, as Justine sets forth, this appeal is premature. When Seth receives a final judgment, he may file an appeal. Accordingly,

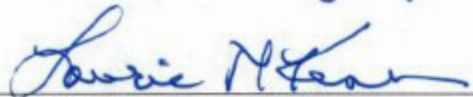
IT IS ORDERED that:

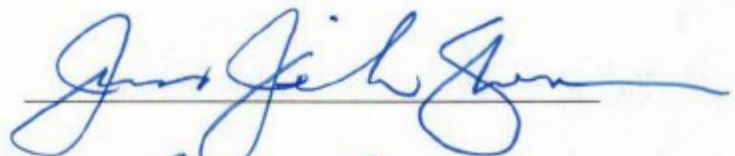
1. Justine's Motion to Dismiss Appeal is GRANTED, and this appeal is DISMISSED without prejudice; and
2. this matter is CLOSED as of this Order's date.

The Clerk is directed to provide a copy of this Order to counsel of record and to Seth Michael Watkins personally.

DATED this 22nd day of July, 2025.











Justices