

ORIGINAL

FILED

09/23/2025

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 25-0628

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 25-0628

FILED

SEP 23 2025

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

CHELSEY MAE HELT,

Petitioner and Appellee,

v.

ORDER

JEREMY STEPHEN GUESS,

Respondent and Appellant.

Jeremy Stephen Guess, representing himself, has filed a verified Petition for Out-of-Time Appeal, indicating that he improperly filed a timely Notice of Appeal with the Gallatin County District Court but not with the Clerk of the Supreme Court. Guess includes a number of attachments in support of his Petition.

The documents in support of Guess's Petition indicate that he filed a Notice of Appeal with the Gallatin County Clerk of District Court on August 6, 2025, within the thirty days of the District Court's July 7, 2025 Findings of Fact, Conclusions of Law, and Order, imposing a three-year order of protection.

M. R. App. P. 4(6) allows this Court to grant an out-of-time appeal "[i]n the infrequent harsh case and under extraordinary circumstances amounting to a gross miscarriage of justice[.]" We conclude that Guess has demonstrated extraordinary circumstances, entitling him to an appeal.

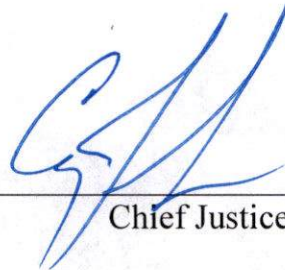
Guess moves for appointment of counsel in this appeal. Guess is not entitled to appointment of counsel in this civil matter. Section 46-8-103, MCA. Accordingly,

IT IS ORDERED that Guess's Petition for an Out-of-Time Appeal is GRANTED. Guess SHALL prepare, file, and serve a Notice of Appeal with this Court on or before Tuesday, October 7, 2025. Failure to do so may result in dismissal of this appeal.

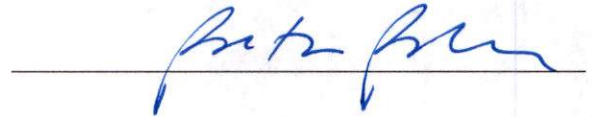
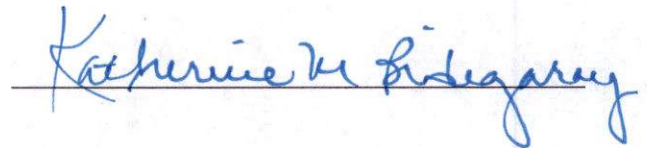
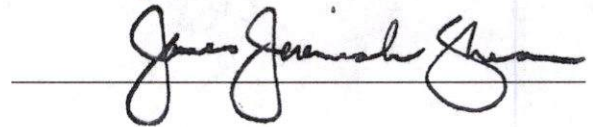
IT IS ORDERED that Guess's Motion for Appointment of Counsel is DENIED.

The Clerk of the Supreme Court is directed to provide a copy of this Order to counsel of record and to Jeremy Stephen Guess along with a copy of this Court's Civil Appellate Handbook.

DATED this 23<sup>24</sup> day of September, 2025.



Chief Justice



Justices