

ORIGINAL

FILED

10/01/2025

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 25-0354

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 25-0354

FILED

OCT 01 2025

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Clerk of Supreme Court  
State of Montana

IN RE THE MARRIAGE OF:

ROBERTA JEAN WHITE a/k/a ROBERTA  
JEAN SCOBEE,

Petitioner and Appellant,

ORDER

v.

GEORGE HARRISON WHITE,

Respondent and Appellee.

Self-represented Appellant Roberta Jean Scobee (Roberta) has filed a Petition for Rehearing and a Supplement in Support of Emergency Relief in response to this Court's August 26, 2025 Order denying her "Motion for Emergency Relief to Protect Child Safety". Counsel for Appellee George Harrison White (George) responds in opposition.

Roberta puts forth that this Court should intervene due to the Yellowstone County District Court's failure and this Court's denial of "Emergency Relief." She argues misrepresentation of the service date, financial misconduct framed as custody-for-money; ignored professional evidence, and ongoing interference with parenting time. Roberta requests this Court grant the rehearing; correct the factual record for the August 1 service date; recognize the District Court's refusal of jurisdiction; "address the severity of ongoing medical neglect and safety concerns;" and provide interim relief.

George provides that while he empathizes with Roberta's beliefs about "factual misstatements, procedural contradictions, and mischaracterizations of the record," he concludes no basis exists here for a rehearing. George reiterates there is no emergency and the children have been in school in Harlowton since August 18<sup>th</sup>. He explains that while Roberta has cited M. R. App. P. 20, she has not applied it as there is no material fact or

facts that were overlooked or that the decision conflicts with a statute or controlling decision. George requests denial of the petition for rehearing as these pleadings reflect the all-too-common aspect of many post-dissolution matters where two parents disagree about how their children should be parented.

The Montana Rules of Appellate Procedure provide the criteria for this Court to consider a decision upon rehearing. M. R. App. P. 20(1). This Court “will consider a petition for rehearing presented only upon . . . [t]hat it overlooked some fact material to the decision[,] . . . or [t]hat its decision conflicts with a statute or controlling decision not addressed by the supreme court.” M. R. App. P. 20(1)(a)(i) and (iii). “Absent clearly demonstrated exceptional circumstances, the supreme court will not grant petitions for rehearing of its orders disposing of motions or petitions for extraordinary writs.” M. R. App. P. 20(1)(d).

When a matter is on appeal with this Court, the District Court typically does not have jurisdiction to entertain motions. *See* M. R. App. P. 4(5)(a)(ii). As stated before, “Roberta’s instant motion is not proper for consideration in an appellate court of review, which does not hold fact-finding hearings[.]” *In Re Marriage of White*, No. DA 25-0354, Order, at 2 (Mont. Aug. 26, 2025). When briefing has completed and this matter is sent to the Court, a decision will be issued in due course.

Upon review, we conclude that Roberta has not demonstrated any criteria to warrant the granting of rehearing. Accordingly,

IT IS ORDERED that Roberta’s Petition for Rehearing is DENIED.

The Clerk is directed to provide a copy of this Order to counsel of record and to Roberta Jean Scobee personally.

DATED this 30<sup>th</sup> day of September, 2025.



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Chief Justice

James Jeremiah Green

Katherine M. Bidegaray

Angel G. Guitierrez

Jim Rice  
Justices