

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 25-0001

CHAD STONE,

Plaintiff,

v.

O R D E R

CHUCK TANNER, LISA SIMMS, and
THE EMIGRANT OUTPOST,Defendants.

Chad Stone, representing himself, has moved to disqualify the Honorable Brenda R. Gilbert from presiding in Cause No. DV-24-85 in the Sixth Judicial District Court, Park County, pursuant to § 3-1-805, MCA.

Stone has moved to disqualify Judge Gilbert in five cases. On September 24, 2025, he filed a motion to disqualify Judge Gilbert in Park County Cause No. DR-25-27. As required by § 3-1-805, MCA, the District Court referred the motion to this Court on September 26, 2025. On October 2, 2025, this Court determined the motion was void and thereby denied because Stone did not allege facts sufficient to demonstrate personal bias or prejudice of the presiding judge under § 3-1-805, MCA.

Upon denial of his motion to disqualify in Park County Cause No. DR-25-27, Stone filed the present motion. He re-alleges facts we already deemed insufficient to support his previous motion. He further alleges Judge Gilbert improperly “issued multiple substantive orders on September 24-26, 2025,” while his motion to disqualify was pending. We have examined the District Court record and determined Judge Gilbert issued no rulings in this case between September 24 and 26, 2025.

Section 3-1-805, MCA, provides that an affidavit for disqualification for cause must allege facts showing personal bias or prejudice of the presiding judge. Stone has provided insufficient grounds to demonstrate such personal bias or prejudice here.

IT IS THEREFORE ORDERED that the motion to disqualify Judge Gilbert is VOID and thereby DENIED.

The Clerk is directed to provide copies of this Order to the Clerk of the District Court of Park County for notification to all parties in Cause No. DV-24-85, and to the Honorable Brenda R. Gilbert.

Electronically signed by:
Cory Swanson
Chief Justice, Montana Supreme Court
October 21 2025