

ORIGINAL

FILED

JAN 06 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Domingo Baez, Jr.-Appellant-Pro Se
267 Westchester Sq N, D2
Billings, MT 59105
domingo.baez1969@gmail.com
406-697-0860

IN THE SUPREME COURT OF THE STATE OF MONTANA

Cause No. DA 25-0262

**IN RE THE MARRIAGE OF:
HANNAH GALIA SNELSON,
Petitioner and Appellee,**

and

**DOMINGO BAEZ, JR.,
Respondent and Appellant.**

NOTICE OF OBJECTION AND RULE 5.1 CONSTITUTIONAL NOTICE

(Clarification of Filing Characterization; Objection to Procedural Mischaracterization, Record Suppression, and Resulting Prejudice)

Appellant, Domingo Baez, Jr., appearing pro se, files this Notice of Objection and provides constitutional notice pursuant to M. R. Civ. P. 5.1, objecting to the Supreme Court's re-labeling, mischaracterization, withholding, and procedural disposition of multiple properly filed appellate submissions in this matter.

I. CLARIFICATION OF THE NATURE OF THIS FILING

This filing is not, and has never been, a Motion for Reconsideration under Rule 20, M. R. App. P. Appellant does not seek rehearing, modification, or reconsideration of any order of this Court.

Any re-labeling, re-titling, or treatment of this filing as a Rule 20 motion is factually inaccurate and procedurally improper. Appellant expressly disclaims Rule 20, and objects in advance to any action taken under Rule 20 with respect to this filing.

Any such action would compound the prejudice identified herein by denying Appellant meaningful access to the Court and foreclosing review of objections and constitutional notice that were not presented for reconsideration.

II. NOTICE OF OBJECTION TO SUPREME COURT PROCEDURAL ACTIONS

Appellant objects to the following actions taken by the Court and/or its Clerk:

1. Re-labeling Appellant's Notice of Objection as a Rule 20 motion for reconsideration and denying it on procedural grounds without adjudicating the objection on its merits.
 2. Obscuring and nullifying the embedded Rule 5.1 constitutional notice by procedural recharacterization.
 3. Withholding from the Register of Actions Appellant's Motion to Correct and Supplement the Record and its accompanying affidavit, despite proper filing.
 4. Conditioning docketing or consideration of filings on the disposition of an unrelated procedural motion, where no rule authorizes such suppression.
 5. Adopting the District Court's posture regarding sealed materials without notice or motion, while denying Appellant's Motion to Unseal ROA Documents 38 and 43.
 6. Declaring the appellate record "complete" notwithstanding filings demonstrating additional omissions beyond transcripts.
 7. Reframing allegations of retaliatory judicial and clerical conduct as mere procedural defects while declining to address their substance.
 8. Exhibiting a marked shift in posture following Appellant's filings exposing record irregularities and post-appeal misconduct.
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III. RULE 5.1 – CONSTITUTIONAL QUESTIONS PRESENTED

Pursuant to Rule 5.1, Appellant provides notice that this filing raises substantial constitutional questions arising from the actions of this Court and its Clerk's Office, including the treatment of Appellant's Notice of Objection, Motion to Unseal, Motion to Correct and Supplement the Record, and supporting affidavits and declarations.

The constitutional questions include, but are not limited to:

1. Whether the Montana Supreme Court violated Appellant's right to due process under the Fourteenth Amendment to the United States Constitution and Article II, § 17 of the Montana Constitution by re-labeling and mischaracterizing a properly filed Notice of Objection—containing a Rule 5.1 constitutional notice—as a Rule 20 motion for reconsideration, and denying it on procedural grounds without adjudicating the objection on its merits.
 2. Whether the recharacterization and procedural denial of Appellant's Notice of Objection deprived Appellant of his right to be heard at a meaningful time and in a meaningful manner, where the relabeling obscured and nullified the original Rule 5.1 constitutional notice.
 3. Whether the Court's mischaracterization and procedural handling of Appellant's filings denied equal protection of the laws by treating Appellant's objections and motions differently from similarly situated appellate filings that are docketed and adjudicated as filed.
 4. Whether the relabeling, withholding, and suppression of Appellant's filings—including the Motion to Correct and Supplement the Record and its supporting affidavit—violated Appellant's constitutional right of access to the courts by preventing meaningful appellate review.
 5. Whether the Court violated due process by denying Appellant's Motion to Unseal ROA Documents 38 and 43 while simultaneously adopting the District Court's posture and findings without notice or opportunity to be heard, and while declining to address post-appeal irregularities involving the same judicial actors.
 6. Whether the cumulative procedural treatment of Appellant's filings—by the same judicial and clerical actors involved in the challenged trial-level conduct who continue to control the appellate record—constitutes a structural denial of due process and equal protection, irrespective of intent.
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IV. NOTICE TO OPPOSING COUNSEL AND RESULTING SILENCE

Appellant affirmatively represents that he notified opposing counsel, Adrian Gosch, in writing on November 19, 2025, of the Supreme Court's mislabeling and record irregularities. Opposing counsel possessed the correct filings and was placed on notice that the docket descriptions were inaccurate.

Opposing counsel did not respond and did not object to the Supreme Court's procedural posture. While no response was required, opposing counsel's silence following notice permitted reliance on a procedurally advantageous posture that prejudiced Appellant and compounded the effects of the Court's actions.

V. PREJUDICE RESULTING FROM THE COURT'S PROCEDURAL ACTIONS

The prejudice arising from the Supreme Court's mischaracterization, suppression, and procedural denial of Appellant's filings is not limited to Appellant personally.

This appeal arises from a domestic relations matter involving a minor child. The suppression and distortion of the appellate record directly impair Appellant's ability to seek meaningful judicial review of issues affecting the child's safety, stability, medical oversight, and developmental well-being.

By withholding and mischaracterizing filings that challenge record completeness, post-judgment conduct, and retaliatory actions by judicial officers, the Court's procedural handling:

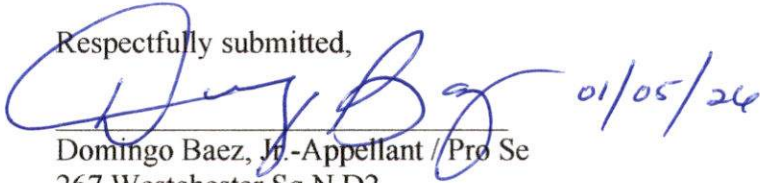
- prevents full consideration of issues bearing on the child's best interests;
- delays or forecloses corrective review while operative orders remain in effect; and
- exposes the child to continued risk without effective judicial oversight.

The resulting prejudice is ongoing and irreparable, as a child's developmental, medical, and emotional needs cannot be paused pending procedural clarification. The constitutional harms identified herein therefore extend beyond Appellant and implicate the rights and welfare of a minor child whose interests the courts are obligated to protect.

VI. PRESERVATION

This Notice of Objection preserves all constitutional, procedural, and structural errors arising from the Supreme Court's handling of Appellant's filings.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Domingo Baez, Jr.", is written over a horizontal line. To the right of the signature, the date "01/05/24" is handwritten in blue ink.

Domingo Baez, Jr.-Appellant // Pro Se
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(406) 697-0860

AFFIDAVIT OF DOMINGO BAEZ, JR.

I, Domingo Baez, Jr., declare under penalty of perjury under the laws of the State of Montana that the following is true and correct:

1. I am the Appellant in Supreme Court Cause No. DA 25-0262.
2. I filed the Notice of Objection, Motion to Correct and Supplement the Record (with affidavit), Motion to Unseal ROA Documents 38 and 43, and related filings described herein.
3. These filings were properly served and transmitted.
4. I notified opposing counsel by email dated November 19, 2025, of the Supreme Court's mislabeling and record irregularities.
5. Opposing counsel did not respond.
6. The Register of Actions does not accurately reflect the filings as submitted.
7. The facts stated herein are true and correct to the best of my knowledge.

DATED: December 5, 2026


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Billings, MT 59105
domingo.baez1969@gmail.com
(406) 697-0860

01/05/24

CERTIFICATE OF SERVICE

I certify that on the 05th day of January, 2026, I served a true and correct copy of the foregoing Notice of Objection and Rule 5.1 Constitutional Notice, Affidavit, and all attachments upon the following by U.S. Mail and/or electronic mail:

Adrian Gosch
Gosch Law, PLLC
1629 Ave. D., Ste. B2
Billings, MT 59102
Email: agosch@lawgosch.com

U.S. Mail

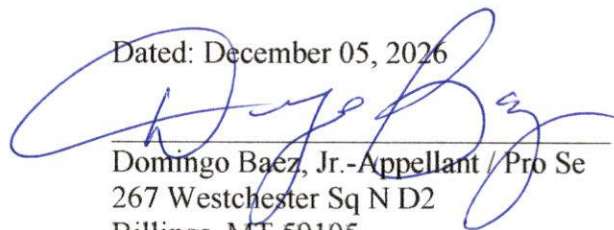
Office of the Attorney General
Montana Department of Justice
P.O. Box 201401
Helena, MT 59620-1401
Email: contactdoj@mt.gov

U.S. Mail
 Electronic Mail

The Honorable Chief Justice Cory Swanson
Montana Supreme Court
P.O. Box 203001
Helena, MT 59620-3001

U.S Mail

Dated: December 05, 2026



01/05/26

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NOTARIAL CERTIFICATE

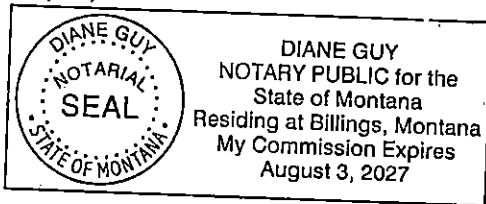
Verification on Oath or Affirmation (Jurat)

State of MONTANA

County of YELLOWSTONE

The attached record was signed and sworn to or affirmed before me on

1/5/2026 by DOMINGO BAEZ
(Date) (Name of signer(s).)



Diane Guy
(Notary Signature)

[Affix stamp above]

This certificate has been attached to the NOTICE OF OBJECTION AND RULE 51 CONSTITUTIONAL NOTICE AFFIDAVIT CERTIFICATE OF SERVICE
(Type of record or document)
consisting of 8 page(s), dated 1/5/2026

Any evidence that this certificate has been detached or removed from the above described document may render the notarization invalid or unacceptable.