

FILED

02/20/2026

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 26-0119

IN THE SUPREME COURT OF THE STATE OF MONTANA
HELENA

Supreme Court Cause No. OP26-0119

Bobby Francis Lowry,
Petitioner / Appellant,

v.

State of Montana, Department of Labor & Industry, et al.,
Respondents / Appellees.

FILED

FEB 20 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

**MOTION AND AFFIDAVIT TO PROCEED
WITHOUT PAYMENT OF FILING FEE
(Disability-Based Financial Inability – M. R. App. P. 5; Form 3)**

COMES NOW Bobby Francis Lowry, Petitioner/Appellant, and respectfully moves this Court for leave to proceed without payment of the filing fee pursuant to Montana Rule of Appellate Procedure 5 and Form 3. This Motion is supported by the following affidavit.

AFFIDAVIT OF INDIGENCY

I, Bobby Francis Lowry, declare under penalty of perjury under the laws of the State of Montana that the following is true and correct:

1. I am the Petitioner/Appellant in the above-captioned matter and appear pro se.
2. I suffer from disabling medical conditions that substantially limit my ability to work and earn income. As a result, I am unable to maintain gainful employment sufficient to pay the Montana Supreme Court filing fee.
3. Due to my financial condition and disability-related limitations, I am unable to pay the filing fee required to initiate or proceed with this matter.
4. I believe I am entitled to redress because this matter raises substantial constitutional

and legal issues, including violations of due process and unlawful state action affecting my personal rights.

5. The issues I intend to present include, but are not limited to:

- a. Whether state agencies violated constitutional due process by recording and maintaining a lien without lawful notice, hearing, or a final enforceable administrative order;
- b. Whether the lower court erred by dismissing the matter on procedural grounds after acknowledging the merits of the constitutional claims; and
- c. Whether extraordinary or supervisory relief is warranted to remedy ongoing constitutional injury.

6. Financial Information:

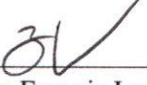
- Employment: Unemployed due to disability
- Income (past 12 months): Minimal / disability-related income only
- Cash or savings: Insufficient to pay filing fee
- Real property: None of significant value
- Vehicles or valuable personal property: None of sufficient value to liquidate
- Dependents: None financially supported at this time

7. I understand that any false statement in this affidavit may subject me to penalties for perjury.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court grant this Motion to Proceed Without Payment of Filing Fee and permit this matter to proceed without prepayment of costs as authorized by Montana Rule of Appellate Procedure 5.

DATED this 16 day of Jan, 2026.



Bobby Francis Lowry
Petitioner / Appellant, Pro Se