

ORIGINAL

FILED

04/13/2026

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 25-0262

IN THE SUPREME COURT OF THE STATE OF MONTANA

CASE NUMBER: DA 25-0262

CASE TITLE:

**In re the Marriage of:
Hannah Galia Snelson (Appellee)
and
Domingo Baez, Jr. (Appellant)**

FILED

APR 13 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

TITLE OF DOCUMENT:

Motion for Rehearing

FILED BY:

**Domingo Baez, Jr.
Pro Se Appellant**

DATE OF FILING:

April 10th, 2026

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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.

MOTION FOR REHEARING

Appellant Domingo Baez, Jr., appearing pro se, moves for rehearing pursuant to M. R. App. P. 20. Rehearing is warranted because the Court misapprehended Appellant's claims and failed to address controlling issues concerning the integrity and completeness of the appellate record.

I. Misapprehension of Appellant's Claims

The Court characterized Appellant's arguments as disagreement with discretionary rulings. Appellant's argument is that the record relied upon is incomplete and unreliable due to sealing, exclusion, non-transmission, and procedural mischaracterization of material evidence. The Court's analysis assumes a complete record—the premise Appellant challenged.

II. Overlooked Record Defects

Appellant identified:

- sealed materials affecting core findings;
- non-transmitted exhibits and filings reflected in the Record of Actions;
- affidavits and witness-supported evidence omitted from the appellate record.

These defects affect credibility determinations and factual findings. The Court did not address their impact and proceeded as though all relevant evidence had been considered.

III. December 3, 2024 Proceeding Misapprehended

The Court relied on the existence of the December 3 proceeding to conclude Appellant had an opportunity to be heard. Appellant's briefs addressed what occurred:

- objections were restricted or denied;
- material issues were not permitted to be developed;
- prior filings were not meaningfully addressed;
- conduct later used to characterize Appellant was shaped by those limitations.

This reflects a limitation on meaningful rebuttal, not mere disagreement. The Court did not address this distinction.

IV. Motion to Supplement Misapprehended

Appellant moved to supplement the record with the December 3 transcript, stating it contained material facts central to the appeal and was necessary for meaningful review.

The Court denied the motion as moot after the transcript was filed, without addressing:

- its absence during briefing;
- the prejudice caused;
- the substantive issues identified in the motion.

The motion raised a record-integrity issue, not a ministerial request.

V. Reliance on a Record Without Addressing Its Integrity

The Court's analysis depends on the premise that the record is complete and reliable.

Appellant demonstrated—and placed before this Court—that the record is incomplete, inaccurate, and unstable, including because entries and materials were added to the Record of

Actions after the notice of appeal and transmission of the record, without notice or service to Appellant, such that the record does not fully or accurately reflect the proceedings below.

These conditions include sealed materials, non-transmitted filings, and omissions of evidence reflected in the Record of Actions. The Court did not address these conditions and instead relied on the absence of evidence that Appellant showed had been submitted and not transmitted.

VI. Formalistic “Opportunity to Be Heard”

The Court equated due process with participation. Appellant demonstrated that filings were not meaningfully considered, evidence was not addressed, and issues were not developed. Due process requires meaningful consideration, not mere opportunity to appear.

VII. Procedural Pattern Affecting Filings

Appellant’s filings reflect a pattern:

- filings delayed or not reflected on the docket;
- record-related motions resolved after the defect affected the case;
- motions denied without addressing substance.

The Court did not address this pattern.

VIII. Meaningful Review Not Addressed

Appellant notified the Court prior to adjudication that the record and procedural posture remained contested as incomplete, inaccurate, and constitutionally defective.

The Court did not resolve whether the record permits meaningful appellate review and proceeded as though the record was complete.

IX. Rehearing Required

Rehearing is appropriate where the Court has misapprehended facts or failed to address controlling issues. Here, the Court:

1. Adopted Appellee's framing;
2. Failed to address record defects;
3. Misapprehended the December 3 proceeding;
4. Treated a substantive motion as procedural;
5. Relied on a contested record.

Rehearing is required.

RELIEF REQUESTED

Appellant requests that this Court grant rehearing and reconsider its decision on the issues presented.

CERTIFICATE OF COMPLIANCE

I certify that this Motion for Rehearing complies with M. R. App. P. 20 and contains approximately 2,600 words, excluding caption, cover page, affidavit, and certificate of service.

DATED: April 10th, 2026

SIGNED:  04/10/2026

Domingo Baez, Jr.

Domingo Baez, Jr.
Appellant, Pro Se Westchester Sq N – D2
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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.

AFFIDAVIT OF DOMINGO BAEZ, JR.

I, Domingo Baez, Jr., being first duly sworn, state as follows:

1. I am the Appellant in the above-captioned matter and appear pro se.
2. I have read the foregoing Motion for Rehearing and know the contents thereof.
3. The statements contained in the Motion for Rehearing are true and correct to the best of my knowledge, information, and belief, and are based upon the record, filings, and proceedings in this matter.
4. The Motion for Rehearing concerns issues previously raised before this Court, including the integrity, completeness, and reliability of the appellate record.
5. This Affidavit is made in support of the Motion for Rehearing and to affirm the accuracy of the matters stated therein.

FURTHER AFFIANT SAYETH NAUGHT.

DATED this 10th, day of April, 2026.
Domingo Baez, Jr.-Pro Se Appellant

 04/10/2026

CERTIFICATE OF SERVICE

I certify that on this 10th day of April, 2026, I served a true and correct copy of the foregoing Motion for Rehearing by U.S. Mail, postage prepaid, addressed to:

Adrian Gosch
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1629 Ave. D., Ste. B2
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Office of the Attorney General
Montana Department of Justice
P.O. Box 201401
Helena, MT 59620-1401
Email: contactdoj@mt.gov

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

I declare under penalty of perjury that the foregoing is true and correct.

DATED: April 10th, 2026

SIGNED: _____

 04/10/2026

NOTARIAL CERTIFICATE

Verification on Oath or Affirmation (Jurat)

State of MONTANA

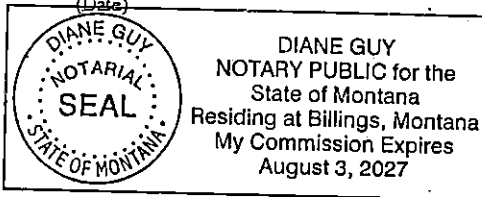
County of YELLOWSTONE

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

04/10/2026

by DOMINGO BAEZ, JR

(Name of signer(s))



Diane Guy
(Notary Signature)

[Affix stamp above]

This certificate has been attached to the

MOTION FOR REHEARING AND
CERTIFICATE OF SERVICE AND

(Type of record or document)

consisting of

7

page(s), dated

04/10/2026

DOMINGO BAEZ, JR

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