

ORIGINAL

FILED

05/12/2026

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 26-0276

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 26-0276

CHESTER HILL MIDDLEBROOKS III,

Petitioner,

v.

FOURTEENTH JUDICIAL DISTRICT
COURT, MUSSELSHELL COUNTY,
HONORABLE ADAM M. LARSEN, Presiding,

Respondent.

FILED

MAY 12 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

Representing himself, Chester Hill Middlebrooks, III, has filed a Petition for Writ of Supervisory Control over the Fourteenth Judicial District Court, Musselshell County. About a week later, Middlebrooks filed a “Supplemental Judicial Notice in Support of Petition of Supervisory Control to Void Trustee Sale and Vacate Deed[.]”

This Court observes, according to our docket, that Middlebrooks filed a Notice of Appeal on April 14, 2026, thirteen days before he petitioned for this writ. Middlebrooks appeals from an April 9, 2026 Order Dismissing Justice Court Appeal, issued by the District Court. Middlebrooks has since filed two Emergency Motions for a Stay—the first on April 21 and the second on May 4—in his appeal.

In the instant Petition, Middlebrooks puts forth that “this case presents an emergency where the District Court is proceeding under a mistake of law and gross injustice.” Middlebrooks argues he sought a timely appeal in the District Court of a Justice Court decision, noting he “timely filed a Notice of Appeal in Justice Court on [March 2, 2026].” (Brackets in original.) He also argues the dismissal of his appeal by the District Court was premature and that the foreclosure sale scheduled for April 15, 2026, was in error. He requests this Court to vacate and set aside any sale that was conducted on April 15, as well as issue a stay of execution of this matter.

From a review of the attachments, Middlebrooks was a tenant on a property, which is under foreclosure. He brought his original complaint in the Justice Court, and then appealed the decision to the District Court. The District Court also issued an order on April 9, 2026, wherein the court dismissed certain defendant parties and the claims against them.

“Supervisory control is an extraordinary remedy, reserved for extraordinary circumstances.” *Stokes v. Mont. Thirteenth Jud. Dist. Ct.*, 2011 MT 182, ¶ 5, 361 Mont. 279, 259 P.3d 754. The decision to exert supervisory control is on a case-by-case basis. *Stokes*, ¶ 5. “We will assume supervisory control over a district court to direct the course of litigation if the court is proceeding based on a mistake of law, which if uncorrected, would cause significant injustice for which appeal is an inadequate remedy.” *Stokes*, ¶ 5 (citing *Simms v. Mont. Eighteenth Jud. Dist. Ct.*, 2003 MT 89, ¶ 18, 315 Mont. 135, 68 P.3d 678).

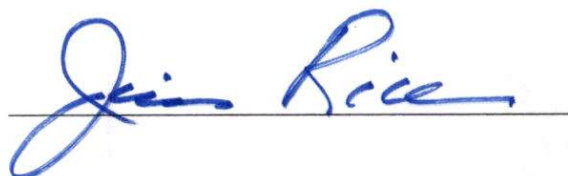
Middlebrooks has an adequate remedy. He filed his appeal of a final judgment before he sought extraordinary relief in this Court. M. R. App. P. 4(5)(a)(i). An appeal provides this Court with the entire record as well as briefing of the issues for consideration. This Court declines to vacate and set aside the court’s Order through this writ when an appeal is pending. We conclude that supervisory control is not warranted here. Accordingly,

IT IS ORDERED that Middlebrooks’s Petition for Writ of Supervisory Control is DENIED and DISMISSED.

IT IS FURTHER ORDERED that this matter is CLOSED as of this Order’s date.

The Clerk is directed to provide a copy of this Order to: the Honorable Adam M. Larsen, District Court Judge; Barb Halvorsen, Clerk of District Court, under Cause No. DV-33-2026-009-OC; counsel of record; all parties, and Chester Hill Middlebrooks III.

DATED this 12th day of May, 2026.

A handwritten signature in blue ink, reading "Jim Rice", is written over a horizontal line.

James Joseph G...

Katherine M. Bidegaray

David H. ...

Peter J. ...

Justices