

ORIGINAL

FILED

05/19/2026

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 25-0866

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 25-0866

IN RE THE MARRIAGE OF:

MATTHEW J. LOCATI,

Petitioner and Appellant,

v.

DANIELLE R. LOCATI,
(n/k/a DANIELLE R. BROOKS),

Respondent and Appellee.

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State of Montana

ORDER

On March 12, 2026, this Court ordered that self-represented Appellant Matthew J. Locati (Locati) “shall order and pay for the production of transcripts necessary for this Court to review the lower court’s record and decide the issues on appeal. Failure to do so may result in dismissal. The Appellant shall provide notice of completion not later than ten [] days from the date of this Order.” *In re Marriage of Locati*, No. DA 25-0866, Order, at 2 (Mont. Mar. 12, 2026). Counsel for Danielle R. Brooks had moved this Court to order Locati to order necessary transcripts on appeal and to hold briefing deadlines in abeyance until the necessary transcripts are lodged. Upon the Order, we held the matter in abeyance.

On March 19, 2026, Locati filed an opposed “Response and Objection to Motion” that the office of the Clerk of the Supreme Court deemed a “Motion for Clarification of Transcript Requirement and Requested Relief.” Locati responded to Brooks’s motion imposing such requirement and explaining that, pursuant to M. R. App. P. 8, an appellant “is required to order only those transcripts that are necessary for the Court’s review of the issues presented on appeal.” Locati argued that the issues on appeal are in the written record and not found in the testimony. He requested that the appeal proceed while he reviewed the record “to determine whether any limited portions of hearing transcripts may

be necessary for the Court's consideration of specific issues raised on appeal." He did not provide a timely notice.

On March 25, 2026, Locati filed a Request for Production of Transcripts wherein he certified that he made arrangements to pay the court reporter to pay for the transcripts.

On April 14, 2026, Locati filed a "Notice Regarding Transcript Status and Pending Motion" explaining that he had a motion for clarification pending with this Court and submitting "that the cost of the full trial transcript presents a substantial financial burden under current circumstances." He reiterated that the issues on appeal are found in the Ravalli County District Court's Findings of Fact, Conclusions of Law, and Decree of Dissolution and related orders. The Clerk's office sent Locati's pending motion to the Court on the same day.

On April 21, 2026, Brooks filed a Motion to Dismiss Appeal putting forth that Locati is not in compliance with the Montana Rules of Appellate Procedure and this Court's March 12, 2026 Order. On that same day, this Court issued an Order stating that no further clarification is necessary as Locati has a duty to provide the transcripts. This Court again held the matter in abeyance "until the necessary transcripts are lodged with the Court." *In re Marriage of Locati*, No. DA 25-0866, Order, at 1 (Mont. Apr. 21, 2026). We ordered that Brooks should file the response brief thirty days after lodging of the transcripts.

On May 4, 2026, the Court Reporter filed an Affidavit, attesting that Locati has made no payment arrangements or no payment for an August 12, 2025 hearing transcript.

On May 11, 2026, Brooks filed a Notice of Issue stating no action has been taken on the pending motion to dismiss and as an alternative, requesting a deadline for transcript filing. Also on that day, Locati filed a late response to the Motion to Dismiss, arguing that his actions were not to delay "but rather to determine the most appropriate and financially feasible means of compliance."

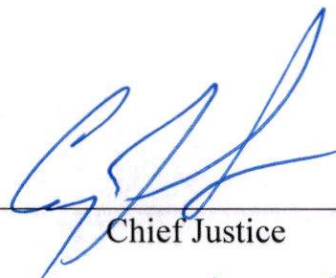
We conclude that Locati has not complied with this Court's Order, issued more than sixty days ago. Brooks's Motion to Dismiss is well-taken. Therefore,

IT IS ORDERED that Brooks's Motion to Dismiss is GRANTED and that this appeal is DISMISSED without prejudice.

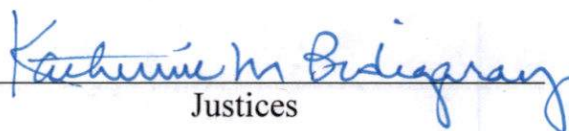
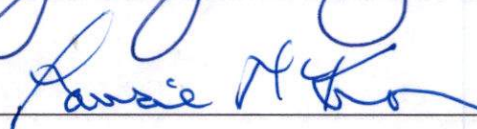
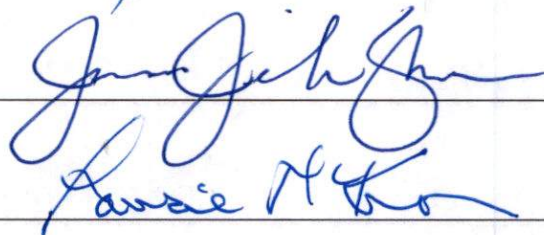
IT IS FURTHER ORDERED that this matter is CLOSED as of this Order's date.

The Clerk of the Supreme Court is directed to provide a copy of this Order to counsel of record and to Matthew J. Locati personally.

DATED this 19th day of May, 2026.



Chief Justice



Justices