FILED
06/02/2026
Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA
Case Number: DA 26-0247

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 26-0247

FILED
JUN 02 2026
Bowen Greenwood
Clerk of Supreme Court
State of Montana

RAVALLI COUNTY,

Plaintiff and Appellee,

v.

BIG SKY CHRISTIAN CENTER, INC., HOLY GROUND, A Corporation Sole, and HARRIS D. HIMES,

Defendants and Appellants.

ORDER

Appellants Big Sky Christian Center, Inc., Holy Ground, A Corporation Sole, and Harris D. Himes have filed an Emergency Application for Stay of Preliminary Injunction Pending Appeal. They seek relief from the District Court's April 8, 2026 Findings of Fact, Conclusions of Law, and Order granting Ravalli County's request for a preliminary injunction, and from the District Court's subsequent denial of Appellants' request for a stay pending appeal.

Montana Rule of Appellate Procedure 22(2)(a) governs a motion in this Court for relief from a district court order granting or denying stay relief. The rule requires the movant to demonstrate good cause for the requested relief, supported by affidavit; include copies of relevant documents from the record; include a copy of the district court's order issued under Rule 22(1)(d); and limit the motion to 10 pages of text, including the affidavit but excluding the required record documents and district court order. Mont. R. App. P. 22(2)(a)(i)–(iv). Rule 22 further provides that, except in extraordinary circumstances supported by affidavit, motions not filed in accordance with Rule 22(1) and Rule 22(2)(a), and motions filed without prior notice to the opposing party, will be denied summarily. Mont. R. App. P. 22(4).

Appellants' application does not comply with Rule 22. The application exceeds the 10-page limit and is not supported by affidavit. Although the District Court's April 8, 2026 preliminary-injunction order appears in the appellate materials, Appellants' application does not appear to include the District Court's order denying stay relief under Rule 22(1)(d), as required by Rule 22(2)(a)(iii). Appellants also have not supported any extraordinary circumstances by affidavit excusing noncompliance with the rule.

Because these procedural defects are independently sufficient under Rule 22(4), we do not reach the merits of Appellants' request for stay relief.

IT IS THEREFORE ORDERED that Appellants' Emergency Application for Stay of Preliminary Injunction Pending Appeal is DENIED.

The Clerk is directed to provide a copy of this Order to all counsel of record.

DATED this 2nd day of June, 2026.

Chief Justice

Justices