

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 26-0166

RODERICK CRABTREE,
GREGORY CRABTREE,
and JANEL BARR,

Petitioners and Appellees,

v.

BART CRABTREE, AND THE IRREVOCABLE
CRABTREE FAMILY CABIN TRUST,

Respondents and Appellants.

Through counsel, Appellees Roderick Crabtree, Gregory Crabtree, and Janel Barr (hereinafter Crabtree and Barr) move this Court for dismissal of this appeal on the ground that Appellant Bart Crabtree (Bart) has not provided a copy of the transcript necessitated by the Montana Rules of Appellate Procedure. M. R. App. P. 8(1) and 9(1). Bart has responded in opposition to the motion.

Crabtree and Barr provide that Bart filed the Notice of Appeal on March 9, 2026, and that this Court received the record on April 21, 2026, but that a transcript of a January 20, 2026 hearing is not included in the record. Bart requests leniency from this Court and additional time “to cure and supplement within 30 days[.]”

Upon review of this Court’s docket, Crabtree and Barr moved for dismissal on May 15, 2026, and Bart responded, albeit untimely, on June 1, 2026. M. R. App. P. 16(2). Bart then filed a “Notice of Transcript Already Filed and Served” as well as his “Designation of Record on Appeal” on June 1, 2026. These filings prompted the Clerk of the Supreme Court to issue a Notice advising the parties that, contrary to Bart’s notice, transcripts had not been filed with the Supreme Court as Bart had stated.

FILED

06/09/2026

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 26-0166

FILED

JUN 09 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER


On June 2, 2026, the Clerk of the Supreme Court received an electronic transcript of the January 20, 2026 hearing and issued another Notice that the transcript had been received.

As Bart notes, this Court will extend some latitude to self-represented litigants, although “that latitude cannot be so wide as to prejudice the other party[.]” *First Bank (N.A.)-Billings v. Heidema*, 219 Mont. 373, 376, 711 P.2d 1384, 1386 (1986). Bart’s untimeliness caused some prejudice to Crabtree and Barr by requiring their counsel to seek a motion to dismiss based upon an incomplete record. M. R. App. P. 8(2). The transcript should have been filed more than a month ago and not upon issuance of a notice by the Clerk of the Supreme Court that Bart was advancing misleading statements to the Court. We will not countenance such further misleading actions.

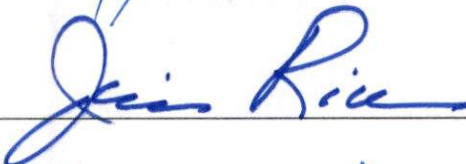
Upon consideration of the foregoing and completion of the record on appeal,
IT IS ORDERED that the Motion to Dismiss Appeal is DENIED without prejudice.


The Clerk of the Supreme Court is directed to provide a copy of this Order to counsel of record and to Bart Crabtree personally.

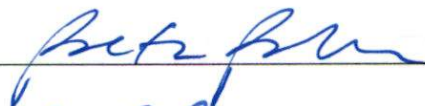
DATED this 9th day of June, 2026.



Chief Justice









Justices