

ORIGINAL

FILED

06/09/2026

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 26-0376

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 26-0376

FILED

JUN 09 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana
ORDER

IN THE MATTER OF:

N.L.H.,

A Youth in Need of Care.

Tammy A. Hinderman, Appellate Defender Division Administrator, petitions for an out-of-time appeal for the mother of H.L.R.W. from the order terminating her parental rights entered on February 27, 2026, by the Thirteenth Judicial District Court, Yellowstone County, in Cause No. DN-24-175. The Attorney General's Office does not object to this motion.

Hinderman asserts that Mother's counsel failed to send Mother a closing letter notifying her of her right to appeal and the deadline for doing so. Mother thus did not timely request an appeal but has since done so. Hinderman argues it would be unjust to deny Mother the right to appeal when the untimeliness of her request was due to counsel's failure to advise her of her right to do so.

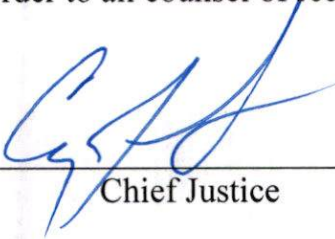
We grant out-of-time appeals under M. R. App. P. 4(6) when an appellant establishes the existence of "extraordinary circumstances amounting to a gross miscarriage of justice," which would exist if we were to deny the petition here.

IT IS THEREFORE ORDERED that the petition for an out-of-time appeal is GRANTED.

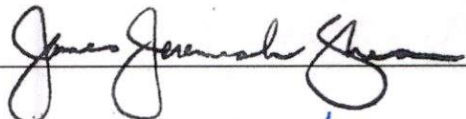
IT IS FURTHER ORDERED that, on or before June 15, 2026, the Appellate Defender shall prepare, file, and serve a Notice of Appeal and a Request for Transcripts, if necessary, in compliance with the Montana Rules of Appellate Procedure.


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


DATED this 9th day of June, 2026.




Chief Justice









Justices