

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 12-0436

STATE OF MONTANA,

Plaintiff and Appellee,

v.

MARCO ANTONIO MARCIAL,

Defendant and Appellant.

ORIGINAL
FILED

SEP 27 2012

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**STUDENT PRACTICE PETITION REGARDING JESSE KODADEK**

Koan Mercer, counsel for Appellant, respectfully petitions the Court to allow law student Jesse Kodadek to practice before the Court in this matter pursuant to the Montana Student Practice Rule. Mr. Kodadek is enrolled as a clinical student with the University of Montana School of Law's Office of the Appellate Defender Clinic. Undersigned counsel is the Supervising Attorney for this clinic and will be the supervising lawyer for Mr. Kodadek's practice before this Court. Mr. Kodadek appears to undersigned counsel to be a bright and dedicated individual who will provide competent legal service. Undersigned counsel approves of Mr. Kodadek's appearance in this matter.

As required by the Student Practice Rule, the following documents are attached in support of this Petition: written consent to Mr. Kodadek's appearance by Appellant Marco Antonio Marcial (Ex. A); certification of Mr. Kodadek by the

University of Montana Law School Dean (Ex. B); and certification by Mr. Kodadek that he has read and will abide by the Montana Rules of Professional Conduct (Ex. C). Undersigned counsel requests the Court to consider the above Petition as satisfying the Rule's additional requirements for the supervising lawyer's written approval of Mr. Kodadek's appearance and for an introduction of Mr. Kodadek to the Court by an attorney admitted to practice before the Court.

Respectfully submitted this the 27th day of September, 2012.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
P.O. Box 200145
Helena, MT 59620-0145

By: Koan Mercer
Koan Mercer
Assistant Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing Student Practice Petition Regarding Jesse Kodadek to be e-mailed, hand-delivered, and/or mailed to:

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401

GREG SULLIVAN
Bozeman City Attorney
SUSAN L. WORDAL
Assistant City Attorney - Criminal
P.O. Box 1230
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MARCO MARCIAL
2220 West Main Street, #77
Bozeman, MT 59715

DATED: September 27, 2012 Emaleth J. Akers

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No. DA 12-0436

STATE OF MONTANA,

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Plaintiff and Appellee,

Appellate Defender

v.


MARCO ANTONIO MARCIAL,

Defendant and Appellant.

CLIENT CONSENT TO STUDENT PRACTICE

I, Marco Antonio Marcial, the Defendant and Appellant in this case, hereby consent to law student Jesse Kodadek appearing on my behalf in this matter under the supervision of my appointed attorney, Koan Mercer.

Dated this the 7 day of September, 2012.



Marco Antonio Marcial
Appellant

Under the Montana Student Practice Rule, JESSE KOADEN, will be
supervised by KOAN MERLER of 139 N. LAST CHANCE BLVD, HELENA
Supervising Attorney Supervising Attorney's mailing address city zip

DEAN'S CERTIFICATION OF STUDENT'S MORAL CHARACTER AND LEGAL COMPETENCE

I hereby certify that, to the best of my knowledge, JESSE KOADEN
is duly enrolled in the University of Montana School of Law, which is
approved by the American Bar Association; has completed 61 hours
of legal studies, which amount to at least two-thirds (2/3) of the total credit
hours required for graduation (or is within five credit hours of meeting this
requirement); that s/he is of good character; has competent legal ability;
and is adequately trained to perform as a legal intern.



Klaus Sitte, Director of Students
School of Law
University of Montana

9/11/12
Date

STUDENT'S CERTIFICATE

I, JESSE KODADEK, hereby certify that I have read, am familiar with, and will abide by the Montana Rules of Professional Conduct. I understand that these Rules track the American Bar Association Model Rules of Professional Conduct and have been regularly interpreted by the Ethics Committee of the State Bar of Montana.

JESSE KODADEK
Name (please print)


Signature

9/24/12
Date