

ORIGINAL

FILED

June 17 2014

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 14-0140

STATE OF MONTANA,

Plaintiff and Appellee,

v.

RICHARD A. JANOUSEK,

Defendant and Appellant.

FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

STUDENT PRACTICE PETITION REGARDING ANDREW PERSON

Koan Mercer, counsel for Appellant, respectfully petitions the Court to allow law student Andrew Person to practice before the Court in this matter pursuant to the Montana Student Practice Rule. Mr. Person 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. Person's practice before this Court. Mr. Person appears to undersigned counsel to be a bright and dedicated individual who will provide competent legal service. Undersigned counsel approves of Mr. Person'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. Person's appearance by Appellant Richard Janousek (Ex. A); certification of Mr. Person by the University

of Montana Law School Dean (Ex. B); and certification by Mr. Person 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. Person's appearance and for an introduction of Mr. Person to the Court by an attorney admitted to practice before the Court.

Respectfully submitted this the 11th day of June, 2014.

OFFICE OF THE APPELLATE DEFENDER
P.O. Box 200147
Helena, MT 59620-0147

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 Andrew Person to be e-mailed, hand-delivered, and/or mailed to:

TIMOTHY C. FOX
Montana Attorney General
C. MARK FOWLER
Bureau Chief
Appellant Services Bureau
215 North Sanders
Helena, MT 59620-1401

JIM NUGENT
Missoula City Attorney
435 Ryman
Missoula, MT 59802
jnugent@ci.missoula.mt.us

RICHARD A. JANOUSEK
by e-mail

DATED: 6/17/14 Trigiana Grotto

EXHIBIT A

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 14-0140

STATE OF MONTANA,

Plaintiff and Appellee,

v.

RICHARD A. JANOUSEK,

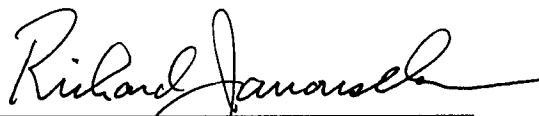
Defendant and Appellant.

CLIENT CONSENT TO STUDENT PRACTICE

I, Richard Janousek, the Defendant and Appellant in this case, hereby consent to law student Andrew Person appearing on my behalf in this matter under the supervision of my appointed attorney, Koan Mercer.

Dated this the 8th day of June, 2014.

6/8/14



Richard Janousek
Appellant

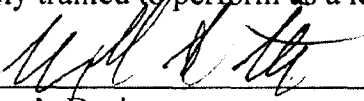
EXHIBIT B

Under the Montana Student Practice Rule, Andrew Person will be supervised
Student's Name
by Koon Mercer of 610 Nwoody St Missoula 59802
Supervising Attorney Supervising Attorney's mailing address city zip

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

SUBJECT TO SUCCESSFUL COMPLETION OF
SPRING SEMESTER COURSES

I hereby certify that, to the best of my knowledge, Andrew Person
is duly enrolled in the University of Montana School of Law, which is approved by
the American Bar Association; has completed legal studies amounting 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) **subject to successful completion of all
spring semester courses**; is of good character; has competent legal ability; and is
adequately trained to perform as a legal intern.


Dean/Dean's Designee
School of Law
The University of Montana

6/11/14
Date


EXHIBIT C

Form 2

STUDENT'S CERTIFICATE

I, Andrew Person, 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.

Andrew Person
Name (please print)


Signature

3 June 2014
Date