

IN THE SUPREME COURT

STATE OF NORTH DAKOTA

State of North Dakota,)	
)	Supreme Court # _____
Plaintiff/Appellee,)	District Court # <u>32-2021-CR-00002</u>
)	
vs.)	
)	NOTICE OF APPEAL
)	(Appellant’s Statement of
MATTHEW WALSH,)	Preliminary Issues)
)	
Defendant/Appellant.)	
_____)	

TO: The above-named Plaintiff/Appellee and the Clerk of the Supreme Court:

[¶ 1] NOTICE IS HEREBY GIVEN that MATTHEW WALSH,

Defendant/Appellant in the above-entitled action appeals to the North Dakota Supreme Court from the Second Amended Criminal Judgment entered in Nelson County District Court, by the Honorable Lolita G. Hartl Romanick on October 25, 2022, and the whole thereof.

[¶ 2] Pursuant to N.D.R.App.P. 3(c)(4), Walsh argues that the District Court improperly Denied the Defendant’s Motion to Dismiss the State’s Restitution Motion because the State’s Motion was untimely and therefore the Court did not have subject matter jurisdiction.

[¶ 3] Dated this 7th day of November, 2022.

 /s/ Elizabeth Brandt Brainard
Elizabeth Brandt Brainard (ND Bar ID #08144)
Fargo Public Defender Office
912 3rd Ave S.
Fargo, ND 58103-1707
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Attorney for Defendant/Appellant

IN THE SUPREME COURT, STATE OF NORTH DAKOTA

State of North Dakota,)
)
 Plaintiff/Appellee,)
)
 vs.)
)
 MATTHEW WALSH,)
)
 Defendant/Appellant.)
 _____)

Supreme Court # _____
District Court # 32-2021-CR-00002

CERTIFICATE OF SERVICE

[¶ 1] Amy L. Mihulka, an employee of the Fargo Public Defender Office, hereby certifies that on **November 7, 2022**, the following documents:

NOTICE OF APPEAL
REQUEST FOR TRANSCRIPTS

was filed with the Clerk of the Supreme Court at the address designated for e-filing: supclerkofcourt@ndcourts.gov. A copy of these document(s) was served electronically on all separately represented parties at the designated e-mail service addresses posted on the North Dakota Supreme Court website:

Jayme Tenneson
Nelson County States Attorney Office
nelsoncosa@nd.gov

[¶ 2] A copy of these document(s) was deposited into the U.S. Mail in an envelope, with postage pre-paid, addressed to the following party at her/his last known address:

Matthew Walsh
3593 166 1/4 Ave SE
Mapleton, ND 58059

[¶ 3] This service was made under N.D.R.Ct. 3.5; N.D.R.Crim.P. 49; and N.D.R.Civ.P. 5(b).

Dated: November 7, 2022.

/s/ AMY MIHULKA
Amy L. Mihulka, CP
Certified Paralegal
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