#### Slusser, Hannah

From: Dezi Gacha <br/>brandyj567@gmail.com><br/>Sent: Friday, November 12, 2021 9:49 PM

**To:** Slusser, Hannah

**Subject:** [EXTERNAL] Cc:Brett Lineweber

I am writing this in regards to Mr. Brett Lineweber for District Judge position. I met Brett in November of 2016 due to one of my daughters being raped. I have to be honest and say I didn't trust Brett's words one bit. He was part of a system sadly to say I have seen fail epically many times

Not one time did Brett let me think he was giving up or washing his hands of the many many delays and uncooperative actions of the monster who violated my child.

Brett fought for a sentence that would make everyone safe from the defendant. And kept his promise to my daughter of her never having to worry about defendant again.

I feel beyond a doubt that Mr. Lineweber would be a great candidate for District Judge for our county.

He is passionate about not only his clients but the community as a whole. He could if given the opportunity become an amazing District Judge like many others before him making sound clear minded decisions of the law.

Sincerely

**Brandy Jones** 

#### **District Judge Position**

To the officials asking about Brett Linneweber,

My name is Destiny Jones, and I will forever be grateful to Mr. Linneweber. A few years ago, Mr. Linneweber was a massive support system for my family during an extremely hard time. Mr. Linneweber has proven over and over that he is a very passionate worker. He is caring, hardworking, and gives his all in projects, as has been proven over and over again. Our case was difficult for us because the defendant was very uncooperative; however, Mr. Linneweber did his all to help us with the process and helped to put the defendant behind bars.

Mr. Linneweber was very understanding and never showed any sign of wavering loyalty to our case, if anything, when things got difficult, he pushed even harder. Mr. Linneweber pushed for a longer sentence that would ensure that the defendant would never see my family again. Even with his clients falling aparts, because the defendant dragged out the case longer than needed, he stood strong and helped us with the legalities and gave us a full understanding of what was going on. Mr. Linneweber was very supportive when emotions got the best of us and stayed clear headed; even when things were tough, he found a way through it and helped us stay calm and collected, even when we wanted to five up. Mr Linneweber was understanding, logical, but also empathetic. Mr. Linneweber showed he cared about the case and that he was pushing as hard as possible for our case to be in our favor. My family didn't worry about the problems that came up, because Mr. Linneweber didn't show any worry. Additionally, everyone who worked with Linneweber was very kind and spoke very highly of him and how kind and patient he was.

Brett made such a huge impact on our lives and will always be in our thanks. He was a great comfort in our time and I know he does the same with all of his clients. Brett was always there if we needed to talk and always listened to our worries and nightmares. He, without fail, gave logical explanations, told us everything we needed to know, and helped us understand the process and why things were taking so long. Brett always tries his hardest to keep people in the loop and to find out everything that is going on around him. He kept a clear head, even when things got frustrating. He has proven time and time again that he can keep a clear head while moving forward.

There isn't a better person for District Judge than Brett Linneweber. He is passionate about his work and his clients. He always wants to give justice that a person deserves while remaining fair. From hardworking, to clear headed, the talents Brett Linneweber shows are helpful and relieve frustrations. He helps people understand and calm down, he doesn't let emotions cloud his judgments. He is very logical and studies every aspect of a case before making any judgment, so that his judgments always have clear evidence behind them and are never chosen without logical information. Brett is very caring and will be remembered for many years by myself and all of my family and many of his past clients. I will forever be thankful to him for saving my sister, and in turn saving my family. I feel that Brett would be fair, passionate, and will make good judgments on every case that comes across his desk.

Sincerely, Destiny A. Jones

# LAW OFFICE OF KIRSTEN MULL CORE, P.C.

ASPEN PROFESSIONAL CENTER 1700 WEST KOCH, SUITE 9 BOZEMAN, MONTANA 59715 Telephone: (406) 556-8485 Facsimile: (406) 556-2177

E-mail: kirsten@mullcorepc.com

November 15, 2021

Governor's Office Attn: Hannah Slusser PO Box 200801 Helena, Montana 59620 Via email

Dear Governor Gianforte and Members of the Judicial Selection Committee:

I am pleased to write a letter in support of Brett Linneweber's effort to attain the appointment to the District Court in Yellowstone County. I believe that Brett would continue to be an asset to that community, which he has served for many years in his capacity as a County Attorney.

Brett and I became acquainted while attending law school at the University of Montana. Weathering the challenges of law school, I always enjoyed conversing with Brett. Without exception, Brett approached his interactions with kindness, a sense of calm, and genuine interest in other points of view.

After graduation, I returned to Gallatin County, where I practice family and criminal law. A few years later, Brett took a position at the Park County Attorney's Office. While a legal adversary, I continued to enjoy interactions with Brett, who remained courteous, thoughtful, and conscientious. He approached every case with equal attention, recognizing that each case deserved his best efforts and time. Ultimately, Brett ran the Park County Attorney's Office, at a time when that community was growing and required a larger dedication of his time. Never complaining, Brett approached his everincreasing duties with a remarkable work ethic. While my interactions with Brett have been less frequent since he moved to the Yellowstone County Attorney's Office, I have continued to enjoy working with him and witnessing his expanded understanding of the impacts that legal matters have on the individuals involved, as well as the community.

### Page 2

While I recognize that Brett has dedicated his career primarily to prosecuting, I have no doubt about his ability to remain objective in criminal prosecutions, and no doubt that he will thoroughly research any civil matter that would come before him.

| I | thank ' | vou          | for | vour  | consideration | of | this | app | licant  | t. |
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| Sincerely, |  |  |
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#### **DELIVERED VIA EMAIL ONLY**

November 12, 2021

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620 nominatejudges@mt.gov

Re: Letter of Support for Brett Linneweber Thirteenth Judicial District Judge Vacancy

Advisory Council,

I am writing this letter to support Brett Linneweber's application to be appointed District Court Judge in the Thirteenth Judicial District Court. I have been a practicing attorney in the State of Montana for eighteen years and have been teaching as an Adjunct Professor at Carroll College for fifteen years. I first met Brett when he was serving as County Attorney for Park County. At the time, I was working for Lewis and Clark County as a Deputy County Attorney. I spent the last six of my almost eleven years as a Deputy County Attorney prosecuting all the crimes against children, representing DPHHS in Youth in Need of Care cases, and prosecuting other major felonies as assigned. Brett and I both shared a desire to hold offenders accountable and improve outcomes for children who had been victims of these offenses.

I have also had the pleasure of serving with Brett as a Board Member for the Children's Alliance of Montana, a non-profit organization dedicated to improving outcomes statewide for children who have been sexually and physically abused. When I joined in 2011, Brett was already serving as a Board Member. In 2015, when he was serving as Board Chair, he recruited me to serve as Vice Chair. I had the unique opportunity to serve with him on the Executive Committee for two years. His knowledge and leadership were invaluable. But it was more than that, he was also respectful and kind. Despite the difficult work he was able to maintain a positive attitude.

Brett possesses many qualities that would make him an exceptional District Court Judge. First, he has diverse experience, practicing both criminal and civil law. In his role as County Attorney, he was required to represent the County in both areas. One of the civil areas included representing DPHHS in Youth in Need of Care cases. Not only did he represent DPHHS, but he also served on a committee to develop the best practice manual for these

Ph: 406.513.1412 Fx: 406.513.1413 types of cases. His experience in these cases will be extremely helpful as a District Court Judge.

Second, he is a hard worker, ethical, and detail oriented. He has volunteered hundreds of hours to the Children's Alliance of Montana and continues to serve as an Advisory Board Member. In his six years on the Executive Committee, he always ensured the Board was in compliance with national standards and non-profit requirements.

Third, he possesses a calm demeanor and is kind to other professionals as well as the public. He will be fair to all parties appearing before him and will be careful to analyze the issues and follow precedent.

I believe Brett will be an asset to the Thirteenth Judicial District Court, which is why I strongly recommend you forward his name to the Governor for consideration.

Best Regards,

Dana a. Harris

Tara A. Harris

Office of the Governor

Attn: Hannah Slusser

Bx. 200801

Helena MT, 59620

nominatejudges@mt.gov

Advisory Council,

I am writing in support of Brett Linnewebber for appointment to judge, due to the vacancy from the retirement of Judge Gregory Todd. While there are many candidates to consider, I feel that Brett is the best candidate to serve the State of Montana, the Thirteenth District, and Yellowstone County.

I have been a sworn peace officer for 12 years, and worked as a major case detective for 5 years. While working complex investigations and prosecutions, Brett has shown a dedication for serving the law and the community. Brett's desire to serve and be of service can be seen in his passion for the law, and desire for justice.

I am proud to have worked with Brett these many years, and I hope to see him on the bench.

David Raschkow, Detective

Billings Police Department

November 13, 2021

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620

Dear Hannah,

My name is R.D. Harper and I am a Captain with a Police Department in Montana. I am writing this letter in support of Brett Linneweber for the 13<sup>th</sup> Judicial District Court Judge. I have been a police officer for 32 years and I have worked closely with Brett for the past three and a half years.

I have found that Brett is a very fair prosecutor who is willing to proceed with charges when there is evidence to support the charge. He is also not afraid to decline prosecution if the facts do not support the charges.

I think that Brett would be a good District Court Judge. He is very professional, meticulous, well versed in the law and well respected.

Thank you very much for your time and consideration.

| Sincerely,  |  |  |
|-------------|--|--|
|             |  |  |
|             |  |  |
| R.D. Harper |  |  |

# Finn Law PLLC (406) 259-5024

**BRADLEY J. FINN** 

ATTORNEY AT LAW

Admitted in Montana and Ohio
duibfinn@gmail.com

Western Security Bank Building 2812 First Avenue North, Suite 300 Billings, Montana 59101 MICHAEL L. ELLINGHOUSE

ATTORNEY AT LAW duimellinghouse@gmail.com

Western Security Bank Building 2812 First Avenue North, Suite 210 Billings, Montana 59101

November 12, 2021

Via Email and US Mail

Hannah Slusser Governor's Office PO Box 200801 Helena, MT 59620

Re:

Judicial Appointment, Department #4
Thirteenth Judicial District Court

Dear Ms. Slusser:

I am writing this letter to express my support for Brett Linneweber's appointment to the Judicial opening in Department #4 in the Thirteenth Judicial District. I have been licensed to practice law in Montana since 2016, and started my career in the Yellowstone County Attorney's Office where Mr. Linneweber was a Senior Deputy County Attorney. I worked closely with Mr. Linneweber for approximately three years. I had the privilege of learning many lessons from Mr. Linneweber; some he was aware of teaching me, many he was not. I have tried several felony cases with Mr. Linneweber in front of a jury and prepared for several more. I can say without hesitation that his knowledge of procedure and detailed case law is second to none. I can also say without hesitation that I have seen nothing but fairness and professionalism from Mr. Linneweber. He is able to view every circumstance through a lens of objectivity, and it is that objectivity that guides every decision he makes. As my prosecution career progressed, Mr. Linneweber quickly became my "go-to" person if I had a question regarding procedure, detailed case law, or just needed someone I could trust to give me an objective opinion.

In short, I believe Mr. Linneweber possesses all the traits that make up a phenomenal District Court Judge. He is intelligent, analytical, compassionate, dedicated, and above all he is objective and fair. Mr. Linneweber would be an asset on the Bench in the Thirteenth Judicial District.

Respectfully submitted,

Michael L. Ellinghouse

| Slusser, Hannah  |   |
|--|---|
| From:<br>Sent:<br>To:<br>Subject:  | Witney Crawford <witneycrawford13086@yahoo.com> Friday, November 12, 2021 10:15 PM NominateJudges [EXTERNAL] Brett Linneweber District Court Judge Nomination</witneycrawford13086@yahoo.com>   |
| To whom it may con   | cern,   |
| I am writing to you t<br>District.   | o express my support for Brett Linneweber for District Court Judge for the Thirteenth Judicial  |
| well as experience the when I started work function both in the excellent resource for guidance; sharing his | esses many qualities as hat would make him an excellent Judge. I've had the opportunity to work with Brett since 2016 ing for the Yellowstone County Attorney's Office as a Legal Assistant. In that time I've seen Brett courtroom and in the office. In the office Brett is personable and approachable which makes him an or new attorneys coming in. Brett takes time to work with the new attorneys and offer s knowledge and experience in a way that makes them comfortable going to him with questions and seen Brett work with victims, including child victims, and seen how he is able to empathize and make |
| current position at t<br>him the attorney he   | perience in the legal realm; a lot of which I don't know specific details about but you can see in his he Yellowstone County Attorney's Office that all of his previous experience has paid off and made is presently. I believe Brett is levelheaded and not easily frazzled; which I think is a necessary quality ly at the criminal level. I have also seen how Brett practices and handles cases; offering fair but also sees.  |
|  | entials that we have yet to see in Brett that would be brought out by an opportunity to serve as a District Court Judge. It would be great to see what he would do with such an opportunity to y in that capacity.  |
| Thank you for taking   | the time to read this letter.   |
| Sincerely,   |   |
| Witney Crawford  |   |

Sent from Yahoo Mail for iPhone [overview.mail.yahoo.com]



Phone: (406) 696-5134 208 N 29<sup>th</sup> St, Ste 231 Fax: (406) 206-4272 Billings MT 59101 Email: lynelle.amen@counselingmail.com

November 12, 2021

I have had the privilege to work with Brett Linneweber in several professional capacities and am honored that he asked me to write this letter.

My first experience with Brett was in 2014 when I became the secretary/treasurer of the Children's Alliance of Montana. At that time Brett was serving as Vice Chair, later becoming the Chair, Past Chair and later moving to an advisory member. My interactions with Brett were on a weekly basis, as we met weekly serving on the executive committee.

Brett's focus was providing appropriate services for child victims and their non-offending caregivers. During this time, he also provided necessary trainings to law enforcement, prosecutors, and other agencies teaching them how to appropriately investigate child cases, while following the laws and best practices.

Also, while Brett served on the Children's Alliance of Montana board and was prosecuting cases, he was instrumental with the successful start and accreditation of the Yellowstone Valley Children's Advocacy Center and multi-disciplinary team in Billings.

In the capacity of a mental health counselor, I have worked with Brett in supporting and preparing child victims for testimony in criminal cases. Brett works tirelessly in ensuring that the children and families are supported throughout the prosecution of the case and strives for fair & just outcomes.

I also have worked with Brett in offering expert witness testimony in criminal cases. I am in awe of his diligence to protect our constitution and laws, as well as keep our community is safe.

In my time of working with prosecution in both capacities as a mental health counselor and an expert witness throughout the state, I have not experienced anyone having the dedication & perseverance to ensure that our children and community are safe as well as upholding the constitution and laws of our State.

In all facets, Brett has worked tirelessly to support the children of Montana and ensure that fair and just services are provided. He works effortlessly in protecting the laws of our state while protecting our community.

Yellowstone County would be privileged to have Brett serve as a Judge for our Thirteenth Judicial District Court.

Thank you for your time.

Sincerely,

/s/ Lynelle Amen, MS, LCPC

Lynelle Amen, MS Licensed Clinical Professional Counselor



Scott Twito Yellowstone County Attorney 217 N 27 Street PO Box 35025 Billings, MT 59107

Phone: 406-256-2870 Fax: 406-256-6931

November 12, 2021

Governor Greg Gianforte State of Montana P.O. Box 200801 Helena, MT 59620

Re: Brett Linneweber, applicant for Montana Thirteenth Judicial District Court vacancy

Dear Governor Gianforte,

I support Senior Deputy County Attorney Brett Linneweber's application for the current judicial vacancy in the Montana Thirteenth Judicial District.

I have known Brett for many years, initially in his work as the Park County Attorney. I gained a deeper appreciation for his abilities when he came to work for us as a criminal prosecutor in 2014. Since that time he has been an asset to this office. He never complains, and he routinely goes above and beyond what is asked of him. Brett voluntarily mentored many of our less experienced attorneys. He is currently handling multiple challenging and important cases and handling them well.

As a candidate for judge, Brett has exhibited to me what I believe is the most important quality for a judge, and that is exceptional decision-making ability. He doesn't push the envelope, but instead follows the rule of law and makes sure that a criminal defendant's due process rights are adhered to. Several years ago, Brett and I tried a complex homicide trial together. During the trial I observed that Brett possessed a good understanding of the rules of evidence, and his organizational skills helped keep that trial in order. These skills will serve him well should you appoint him as a judge in the Thirteenth Judicial District.

I support Brett's application for district judge. He would be an excellent choice.

Sincerely,

Scott Twito

Yellowstone County Attorney

Jake Schwaller, Esq. PO Box 2157 Billings, MT 59103

October 18, 2021

Governor's Office
Attn: Hannah Slusser
P.O. Box 200801
Helena, MT 59620
Sent via email to nominatejudges@mt.gov

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Re: 13th Judicial District Court Judge Position/ Support for Brett Linneweber

#### Dear Advisory Counsel:

This is my letter of support for Brett Linneweber to fill the upcoming judicial vacancy in the Thirteenth Judicial District Court, Yellowstone County. I have had the privilege of working with Brett in various capacities in my career as an attorney. First, I was a law clerk to the Hon. Judge Gregory Todd, and I assisted the Court in deciding matters briefed by Brett. Brett is a thorough writer, and his understanding of the law is impressive. I then worked as a prosecutor in the Yellowstone County Attorney's office with Brett. We tried a felony case together as co-counsel. Brett was one of the most knowledgeable attorneys in the office, and he tried the case with conviction and focus. If I had a sticky question regarding an esoteric area of law, Brett was one of the first people I would go ask questions throughout my time in that office. He was a good mentor. I now work in private practice, and Brett remains a consummate professional with opposing counsel as much as he was with co-counsel.

I believe Brett would be a fair and impartial jurist, and with his background, knowledge, and experience, he would be a boon to Yellowstone County. Therefore, he has my full support for this position. Thank you for your consideration.

Sincerely,

Jake Schwaller Attorney at Law Office of the Governor Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620

Re: Application of Charles Brentley Brooks (Brent Brooks) for District Judge of the Thirteenth Judicial District

Please accept my comments regarding the application of Brent Brooks for the appointment of District Court Judge in the 13<sup>th</sup> Judicial District.

I have only had the honor of knowing Brent Brooks for about five years but in that time, I have learned much about his character. I worked closely with Brent for almost four years before he retired from the Billings City Attorney's office. He taught me much during this time and I learned many valuable lessons from him.

Brent is extremely knowledgeable about the law and has an amazing memory that astounds almost everyone who has worked with him. As a City Attorney, it is important to be well-informed in various areas of the law, even the most esoteric topics one wouldn't expect to come up in the practice of a municipal attorney. Brent has an impressive collection of knowledge as well as a thorough understanding of areas of the law that many attorneys will never approach in their careers.

He is one of the most thorough attorneys I have ever known and never acts without careful consideration. My observations of his behavior have confirmed he has the utmost respect for others regardless of their stature in life. These qualities along with his professionalism prove he has the temperament to be an excellent judge.

Brent has had a lengthy career as a public servant, first as a law clerk for Judge Battin, then as a Deputy Yellowstone County Attorney, followed by his 22 years as Billings' City Attorney. His experience with both civil and criminal practice make him well suited for the bench. His career path has shown his dedication to the community and his desire to serve that community. Brent has the intelligence and skills necessary to be an effective District Court Judge and this community would be well-served by more judges with the qualifications Brent possesses.

Sincerely,

Gina Dahl

**Billings City Attorney** 

Governor's Office Attn: Hannah Slusser P.O Box 200801, Helena, MT 59620 Fax: 406-444-4151

nominatejudges@mt.gov

RE: 13<sup>th</sup> Judicial District Judge Position Support for Brett Linneweber

Selection Committee.

My name is Frank Fritz, and I am the Detective Sergeant for the Yellowstone County Sheriff's Office. I am writing this letter in support of Brett Linneweber for the position of District Court Judge in the Thirteenth Judicial District.

I have known Mr. Linneweber since 2014 when he became a Prosecutor in the Yellowstone County Attorney's Office. Since that time Mr. Linneweber has prosecuted a couple of the cases I submitted for charges. Most notably a child Homicide case I submitted, and he prosecuted. I have found that Mr. Linneweber will go through every aspect of the case ensuring every element of the crime has been met per State Statue.

I have found Mr. Linneweber to be very professional and fair in his dealings with law enforcement. I believe Mr. Linneweber would be a fair and impartial Judge if selected for the position. I feel Mr. Linneweber would be an excellent Judicial Court Judge.

Frank Fritz 1606 St Johns Avenue Billings, MT 59102 406-855-2758

## Robert S. Spoja

18 Buckhorn Meadow Ln., P.O. Box 555, Red Lodge, MT 59068 406-839-1316 | rspoja@outlook.com

November 12, 2021

Governor's Office Attn: Hanna Slusser P.O. Box 200801 Helena, MT 59620

Re: 13th Judicial District Judge Position, Support of Brett Linneweber

Greetings,

I write to support the application by my colleague and friend Brett Linneweber to fill the impending vacancy in the Montana Thirteenth Judicial District.

I first met Brett in the late 1990s, when we were both students at the University of Montana, School of Law. After graduation, we each began our own journey in the law and did not cross paths again until I had become a Deputy Yellowstone County Attorney and Brett was serving as the Park County Attorney. During that time, we occasionally consulted on cases involving mutual defendants. In so doing, I found Brett to be both knowledgeable and thoughtful regarding the resolution of those cases.

Later, when Brett was hired as Senior Deputy County Attorney at the Yellowstone County Attorney's office in February 2014, I served as an interview committee member. The interview process reminded me of Brett's straightforward approach. I remember thinking that the Yellowstone County Attorney's Office should immediately hire him to benefit from his extensive knowledge of case law and the rules of evidence.

I had the privilege of working alongside Brett for the next several years at the Yellowstone County Attorney's Office. We worked together to prosecute several matters of varying types. I remember well a series of criminal cases that involved a man who committed violence against several women. These cases became reasonably complex because the order in which they had come on for trial was not the chronological order of the events. The subject matter was challenging, as well, given the nature of the violence employed by the defendant. Brett's approach to preparing the witnesses and exhibits for trial was methodical and thorough. Because of that, we anticipated many of the challenges during the trial, which contributed to a successful prosecution.

Before I took the position I currently hold, Deputy Carbon County Attorney, I sought Brett's advice on the challenges unique to serving in a small county. He offered an unvarnished view of those challenges, as well as the benefits. Over the years I have known him, I have grown to value his insight, a trait key to a balanced judicial philosophy.

While working with Brett, I found him to possess a vast knowledge of precedent and the rules of evidence. I consulted with him frequently on the more unique issues I faced

during my time with the Yellowstone County Attorney's Office. I am confident that his knowledge will serve him well as a jurist.

Finally, and perhaps most importantly, I know Brett to be a man of integrity and humility. I am confident that he will serve the citizens of Yellowstone County and the State of Montana with honor and dignity as District Judge.

Yours Truly,

Robert S. Spoja

Daniel Ball P.O. Box 2502 Billings, MT

November 9, 2021

Governor Greg Gianforte Judicial Advisory Council Attn: Hannah Slusser P.O. Box 200801 Helena, MT

Sent via email to: nominatejudges@mt.gov

Re: 13th Judicial District Court Judge Position/Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Council:

I write in support of Brett Linneweber's candidacy for the 13th Judicial District Court Judge position. Brett has extensive experience in the civil and criminal fields of law. His experience, his ability, and his temperament make him an ideal candidate for the bench. Yellowstone County will be well-served if Brett Linneweber is appointed to fill the vacancy left by Hon. Judge Todd's retirement.

I have known Brett since he came to the Yellowstone County Attorney's Office in 2014. I have represented numerous individuals in cases where Brett was the prosecuting attorney. Due to Brett's experience and ability, these cases have typically been among the most serious matters that are prosecuted at the State level. I have resolved cases with him through agreements and I have tried cases with Brett that have proceeded all the way to a jury trial.

Brett has handled each of those cases with integrity, with the utmost professionalism, and with unique ability. Even though we have been on opposing sides and have not always agreed on the best resolution for each particular case, I have appreciated Brett's vigorous advocacy for the State of Montana. I have also appreciated the fact that even though we may be adversaries in practice, and even though he treats his responsibilities to the citizens of the State of Montana very seriously, he remains eminently friendly and approachable to opposing counsel, regardless of whether that person is an experienced colleague or new to the practice.

Brett's legal reasoning and legal positions are supported by the law and facts of the case. He is very knowledgeable about legal precedent and current case law. I have appreciated his knowledge related to legal issues in criminal practice and his willingness to engage in a forthright discussion of those issues in his office as part of negotiating a case, or in court upon questioning

Governor Greg Gianforte Judicial Advisory Council November 9, 2021 Page 2

from a District Court Judge. He handles each of those situations with professionalism and knowledge.

Brett is also an experienced and excellent litigator. His strong work ethic is readily apparent through his performance in court. I know, going into a hearing or trial with Brett, that I need to extensively prepare because he will know the legal and factual intricacies of the case. That diligence is also an important quality for a Judge in our District.

Brett possesses all of the qualities for a District Court Judge. He will hit the ground running due to his legal knowledge, familiarity with the court-room, and his broad experience as an attorney. I respectfully request that you consider Brett as an excellent choice for District Court Judge.

Sincerely,

Daniel Ball

Lee K. Johnson Bozeman, MT 406-388-1572 lejohnson6564@gmail.com

November 10, 2021

VIA EMAIL: nominatejudges@mt.gov

Office of the Governor Governor Greg Gianforte ATTN: Hannah Slusser PO Box 200801 Helena, MT 59620-3005

RE: Candidate Brett Linneweber

Position for District Judge, Thirteenth Judicial District

Dear Governor Gianforte and Members of the Advisory Committee:

I respectfully write to support the application by Brett Linneweber for the Thirteenth Judicial District Court Judgeship created through the forthcoming retirement of the Honorable District Judge Gregory Todd. I own the privilege of having worked closely with Brett throughout the last twenty-one years, first while he was a Park County Deputy, then as the elected County Attorney for the 6<sup>th</sup> Judicial District, and finally as a Senior Deputy County Attorney in and for Yellowstone County.

As a field Agent, Supervisor and Bureau Chief of the Montana Division of Criminal Investigation, I rarely write in support of candidates in the interests of maintaining neutrality. I write this letter personally because I believe Brett, throughout his career, has demonstrated the highest professional standards in every case he has brought before the court. Brett understands all aspects of criminal procedure, judicial review, victim/defendant rights, criminal/civil case law, jury dynamics, and sentencing. Brett is a consummate professional in and out of the courtroom and demonstrates true compassion and fairness to every one of his approaches as an attorney. As an experienced officer of the court, Brett would be an excellent judge at the district court level because he understands factual analyses and how they fairly apply under the law. His experience in trying significant criminal cases is unparalleled among applicants.

Page Two Brett Linneweber Application November 10, 2021

Civil and criminal litigation are reaching new levels of complexity. The importance of placing an experienced, fair-minded, decisive person in the position of district court judge, particularly in Yellowstone County, has never been more important. Brett Linneweber has the maturity, temperament and fairness to be an exceptional judge. His values, ethical track record and compassion for the community place him squarely as an excellent choice through the wisdom of the committee's consideration. Brett gladly earns my support as District Judge. I appreciate your careful review of his exceptional career and character that has prepared him well for this endeavor.

Respectfully Yours,

Lee K. Johnson

November 10, 2021

Sent via email to: nominatejudges@mt.gov

Attn: Hannah Slusser Governor's Office P.O. Box 200801 Helena, MT 59620

Re: Letter of Support for Brett Linneweber

Dear Governor Gianforte:

I am writing this letter in support of Brett Linneweber for District Court Judge for the Montana 13<sup>th</sup> Judicial District.

I have worked with Brett from February 2014 until September 2021, at the Yellowstone County Attorney's Office in Billings, MT. I was assigned to work with Brett directly, and during this time, I observed Brett work harder than most to handle the large workload and deadlines that were thrown at him daily. However, no matter how busy he was, he would always stop to help fellow attorneys or staff with questions that they would have for him on laws and procedures. Brett didn't just answer the questions, he explained the reasons and helped educate them. He was always willing to dive in and help on any issues.

I personally learned so much by watching Brett handle things around the office with his knowledge and patience, as well as his great sense of humor that could be a great stress relief when we had tough cases to work. Every case I've helped him with, whether it be from the charging stage to the trial stage, Brett has shown that he cares about justice and fairness, helping the victims, as well as helping find solutions that would help the offenders as well with getting the help they needed.

Brett would be a huge benefit to the community of Yellowstone County should he be a District Court Judge. I think his education, knowledge, work ethic, demeanor and candid personality would prove to be very beneficial to this position, along with his professionalism, ethics and integrity.

Thank you for your time, and I truly appreciate your consideration of Brett Linneweber for District Court Judge.

Sincerely,

/S/ Sheila DeVries

Sheila DeVries Records Supervisor/TAC Yellowstone County Sheriff's Office 2323 2<sup>nd</sup> Ave N Billings, MT 59101 (406) 256-2936

## LEONARD D. KNUTSON

PO Box 522, 1824 E 8<sup>th</sup>, Laurel, MT 59044 · 406.696.7998 Isknut@centurylink.net

Office of the Governor Governor Gianforte Attention: Hannah Slusser PO Box 200801 Helena, MT 59620 nominatejudges@mt.gov

Re:

Thirteenth Judicial District Court, Department 4, Judge Position

Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Council:

I am honored to write this letter in support of Brett Linneweber for the District Court Judge position that is open in the Thirteenth Judicial District Court, Department 4, Yellowstone County, Montana. Please extend your consideration for the following reasons:

I retired in 2016 after serving as a peace officer in Montana for forty one years. The first twenty one years were with the Billings Police Department and the last twenty years were with the Montana Department of Justice, Division of Criminal Investigation, Major Case Section. I was a lead detective/case agent for major case investigations during twenty eight of those years.

I met Mr. Linneweber in October 2006 when he was the Park County Attorney in Livingston, Montana. I led the death investigation of Marcia Beck who was brutally murdered in her home. Her house was then set on fire. This was a time consuming and complex investigation that took seven days before Ms. Beck's body could safely be removed from the home. William Wassmer killed her, set fire to her home, then fled Livingston en route to California. Wassmer was arrested in Idaho the following day. Mr. Linneweber prosecuted the case against Wassmer, who was convicted.

This was the first of four homicide investigations I worked in Park County while Mr. Linneweber was the county attorney. Over my career I have worked as case agent or assisted in death investigations in twenty nine jurisdictions in Montana. I have worked with a multitude of prosecutors and defense attorneys and none have impressed me more that Mr. Linneweber.

Mr. Linneweber has an amazing work ethic that was demonstrated in every case presented to him. He researched and understood all material presented and always had a commitment to bring justice. He is well reasoned, articulate, and truly compassionate.

I have the utmost respect for Mr. Linneweber and wholeheartedly support his appointment to the vacant position of Thirteenth Judicial District Court Judge.

Submitted respectively,

Some Q. Luckson



Governor of the State of Montana State Capitol, Room 204 PO Box 200801 Helena, MT 59620-0801

Dear Governor Gianforte,

November 11, 2021

I write in support of Mr. Brett Linneweber's candidacy for District Court Judgeship for the 13th Judicial District Court, Department Four, in Yellowstone County, replacing the retiring Honorable Judge Todd from this position.

I have never had the honor of working with Brett in his professional position so I am writing this from more of a personal support position. When Brett had decided to relocate, he and his Wife, Anna Marie, to Billings back in 2014, I was honored that he contacted me and allowed me to obtain financing for their current home here in Billings. Briefly, my name is Pamela Adams and I am the owner of Guardian Mortgage and have been servicing our community for the last 24 years. I have been in the Real Estate field for over 45 years and at this point and I can honestly say that I can pretty well size up a borrower within just a few moments over the phone. I am a highly respected Mortgage Broker and am actually one of the few that are still around and thriving. I was so impressed with Brett and his quick response to every request of needed, timely information, his understanding of finances and his level headed common sense that is a blessing in this day and age. It is always so wonderful to have an opportunity to work with some one of this level of professional and conservative views that fall into place with my own. The more that I was able to work with him the more impressed I was. I was so excited to have played a very small part in helping bring such an individual with his experience and in line political views to our community and he has not disappointed. Throughout the years I have still maintained a friendship with, he and Anna Marie, and I'm sure in the years to come it will just continue to grow. I am honored to call them friends. I can truthfully say I don't see anyone else that would better fill this important position.

I hope that you will take my opinion into consideration and make the right choice. If you have any further questions or would like to discuss this with my please feel free to call upon me.

Sincerely,

Pamela Adams

Broker/Owner

#### **BRADLEY J. FINN**

ATTORNEY AT LAW

Western Security Bank Building 2812 First Avenue North, Suite 300 Billings, Montana 59101 (406) 259-5024 Toll-Free (MT) 1-888-DUI-FINN FAX (406) 256-6199 duibfinn@gmail.com Admitted in Montana and Ohio

November 11, 2021

Via Email and US Mail Hannah Slusser Governor's Office PO Box 200801 Helena, MT 59620

Re: Judicial Appointment, Department #4

**Thirteenth Judicial District Court** 

Dear Ms. Slusser:

It is without reservation that I strongly recommend Brett Linneweber for the Judicial opening in Department #4 here in Yellowstone County. I have been a practicing Attorney for the past 43 years, the last 37 of which have been here in Billings as a solo practitioner. I first became acquainted with Mr. Linneweber when he was serving as the Park County Attorney, where I was representing defendants who he had charged with felonies and/or misdemeanors. Since his move to the Yellowstone County Attorney's Office as a Senior Deputy County Attorney, I have become more familiar with his professionalism, his ethics, his fairness, his collegiality, and his work ethic. There is no doubt in my mind that he would bring these invaluable attributes to the Bench. Moreover, I believe that he has the ambition and desire to continue his quest to be as knowledgeable about all areas of the law as the cases require.

In conclusion, and perhaps most importantly, I believe that Mr. Linneweber will fairly and impartially apply the law as written by the Legislature before making any decision. He will walk out of the Courtroom having been as objective and even-handed to both parties as he could have been before he made his decision. For these reasons, I believe he would make a great District Court Judge in our County for years to come.

Respectfully submitted,

Bradley J. Finn

October 30th, 2021

Office of the Governor Governor Gianforte Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620

Re: Candidate Brett Linneweber letter of recommendation for District Judge, Thirteenth Judicial District

Dear Governor Gianforte and Members of the Advisory Committee:

I am writing this letter in support of Attorney Brett Linneweber for appointment to District Court Judge for the Thirteenth Judicial District.

I have had the opportunity to work with Attorney Linneweber for the past seven years in his position as a Senior Deputy Yellowstone County Attorney. Attorney Linneweber has abundantly proven himself as a competent, knowledgeable, and motivated attorney, who is capable of handling complex criminal cases. Regardless of whom he is interacting with Attorney Linneweber conducts himself in a professional and respectful manner. Open and honest communication is always the norm with Attorney Linneweber. I have always felt that he has an appreciation for the accomplishments and expertise of others.

It is obvious through Attorney Linneweber's actions he values and respects the criminal justice system, the Constitution of the Unites States of America, and Constitution of the State of Montana. Repeatedly I am impressed by Attorney Linneweber's commitment to stay informed of the most recent developments in legal precedents, best practices within the legal community, and topics involving investigative procedure. When consulted on questions concerning the fourth, fifth, and sixth amendments Attorney Linneweber is trusted to provide accurate, sound, and unbiased guidance.

Although I have only worked with Attorney Linneweber within the criminal realm of the justice system, I know he also has a large amount of experience in civil proceedings, and for nearly a decade held elected office as the Park County Attorney. I have seen firsthand the time, consideration, and research Attorney Linneweber puts into his work to ensure a well thought out and accurate case is presented. This work ethic is indicative of how deeply Attorney Linneweber cares about his community, and those affected by our court system.

Attorney Linneweber upholds the ethical and moral standards I believe are trademarks of a capable and proficient Judge. I feel he is highly qualified and would be a benefit to the citizens he serves. I lend my support and recommendation to Attorney Linneweber for appointment to the Thirteenth Judicial District.

Respectfully submitted,

Jeremy Dennler

Detective

**Billings Police Department** 

#### Alyssa Peterson 3932 Plains Drive Shepherd, MT 59079

November 9, 2021

Governor's Office Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620-3005

RE: Thirteenth Judicial District Judge Position- Letter of Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Committee:

I am writing this letter to express my support for Brett Linneweber for the judicial vacancy in the Montana Thirteenth Judicial District Court. I am a Victim/Witness Coordinator with the Yellowstone County Attorney's Office and have worked with Brett since 2016.

Brett and I have worked on some very difficult cases. Cases that involve a lot of trauma and emotions for our victims. Brett's temperament and demeanor when dealing with these victims is remarkable. He speaks to them in a way that they can understand this process while also respecting their pace in their recovery and telling their story. In every case, Brett takes the time to get to know these victims as individuals which I believe is him going above and beyond his role as a prosecuting attorney.

Brett is a wealth of knowledge that I have personally seen many attorneys in our office take advantage of. He is always willing to take the time to mentor younger/newer attorneys and help them through difficult legal issues in their cases. His love for the law really shows when he is teaching others and helping them work through case difficulties.

Working beside Brett but also being a member of this community, I cannot imagine a better candidate for this position. He is professional, experienced, intelligent, hard-working, knowledgeable and has the upmost respect for the law. He always has the community's safety and best interest in mind.

Brett Linneweber is exactly the person I would want ensuring justice in my community with his ability to remain impartial. He would be a major asset to the Thirteenth Judicial District and I hope you'll consider his appointment.

Thank you for your time,

Alyssa Peterson

Office of the Governor Of the State of Montana Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620

RE: Letter of Recommendation for Brett Linneweber 13<sup>th</sup> Judicial District Court Vacancy

Dear Governor Gianforte and Commission Members,

I am writing this letter to express my support for Brett Linneweber to be appointed as the judge for the Thirteenth Judicial District Court vacancy. I have known Brett for several years in both my capacity as a defense attorney as well as a fellow and patient, and always willing to contribute something positive. These qualities are what I value in a Judge. Brett will bring to the bench his experience in both civil and criminal cases, making prosecutor at the Yellowstone County Attorney's Office. In every interaction I've had with Brett he has the right temperament, is the most qualified, and is the right person to serve the people of familiarity with the courtroom make him the clear standout candidate for this position. I believe these things are always true: Brett brings a wealth of knowledge into the room, he's respectful him the most well-balanced and experienced candidate. Brett's knowledge of the law and Montana as the newest Judge for the Thirteenth Judicial District.

As a fellow attorney, community member, friend, and colleague I recommend Brett Linneweber for District Court Judge.

Respectfully,

Amanda Tiernan

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MY 59620 nominatejudges@mt.gov

Re: 13th Judicial District Judge Position;

Support for Brett Linneweber

#### Advisory Council:

I am writing this letter in support of Brett Linneweber for the appointment to the vacancy left by Judge Gregory Todd in the Thirteenth Judicial District Court, Yellowstone County.

I started working as a prosecutor for Yellowstone County in August 2019, which means I have been a colleague of Mr. Linneweber's for over two years. When he told me was applying to be Judge Todd's replacement, I immediately volunteered to write this letter of support.

As a new attorney, recently out of school, the learning curve in our office is steep and immensely stressful. When I first began working here at YCAO, Brett was one of the few senior attorneys who went out of his way to say hello, to check on me, and to ask me if I needed help with anything. Despite his heavy caseload, he regularly makes time to guide our newer attorneys and staff members. Having his support and mentorship continues to make a world of difference for me as I navigate the challenges of criminal prosecution in Yellowstone County. I am certain my peers feel the same way. Brett's routine pattern of helping his colleagues demonstrates multiple qualities that make him an exemplary choice for the next District Court Judge.

Brett is one of the most knowledgeable and experienced attorneys I have had the pleasure of working with. He has a unique ability to recall statutes, case names, and important holdings – all from memory. This makes him an excellent teacher, and more importantly, a reliable legal mind. Brett has a thorough knowledge of the law, diverse practical experience, and a scholarly nature. I believe a judge's duties include correcting and educating attorneys on the law and its application, as a means of safeguarding the integrity of the legal process. I am confident Brett will fulfill this duty with dedication and poise.

After learning more about his work style, I have seen first-hand that he is efficient, highly organized, and he approaches things in a methodical and strategic manner. On multiple occasions, Brett has spotted future issues in my cases and proactively helped me remedy them. He does this on his own initiative, and it is the result of his collegiality and his careful attention to detail.

In addition to his exceptional legal mind, Brett is ethical, fair-minded, and personable. It is obvious to me that he has earned the respect and the trust of his colleagues, including those

that serve as opposing counsel. Despite the inherently adversarial nature of the court system, Brett always conducts himself with integrity, professionalism, and compassion. He balances the interest of public safety and the goal of rehabilitation. Although he has been a prosecutor for many years, he has not lost sight of the fact that our defendants are human beings. He strives to reach outcomes that are just – for both the defendants and the community. He is firm when he needs to be, but he is also genuinely kind. It is important for a judge to set an example for the community and to earn the public's trust. Brett's personality will help him easily accomplish both of these things.

I was born and raised here in Billings, and I have seen my community slowly fracture under the crushing weight of drug addiction and rising violent crime. I am personally invested in the future of my hometown, and I know it will require a very gifted person to fill Judge Todd's spot on the bench. Although it would be bitter-sweet to see him leave our office, I think the citizens of Yellowstone County would be fortunate to have Brett Linneweber as our next District Court Judge.

Thank you for your time and consideration,

Morgan Lix Senior Deputy County Attorney

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620 406.444.4151

RE: Thirteenth Judicial Judge Position Support for Brett Linneweber

Dear Advisory Council,

I am writing this letter in support of Brett Linneweber being appointed to the judicial position left vacant by the retirement of Judge Todd in the Thirteen Judicial District Court, Yellowstone County. There are several qualified and worthy applications for the position, however, it is my hope that you will give Mr. Linneweber serious consideration.

Mr. Linneweber, then Park County Attorney, hired me as the Civil Deputy Park County Attorney in August of 2008. I was hired on with the Park County Attorney's Office after spending a year clerking for a judge in the Thirteen Judicial District Court. Mr. Linneweber provided me excellent mentorship and guidance during my first years as a practicing attorney. As County Attorney, Mr. Linneweber considered each criminal case with an eye on serving justice and each civil matter on limiting liability for the County as well as providing the public with services they have a right to.

Mr. Linneweber's knowledge of both criminal and civil matters makes him uniquely qualified for the position as a district court judge. Additionally, Mr. Linneweber's attention to detail and straight forwardness has allowed him to effectively represent the State of Montana while gaining the respect of his colleagues.

I appreciate your time and consideration of my comments.

Very Truly Yours.

Shannan M. Piccolo

November 9<sup>th</sup>, 2021

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620 nominatejudges@mt.gov

Re: 13<sup>th</sup> Judicial District Court, Yellowstone County, Department 4

Advisory Council,

It is an honor to write a letter of support of Brett Linneweber for the recommendation of 13<sup>th</sup> Judicial District Court, Yellowstone County, Department 4. While you have received numerous letters of support, I feel Mr. Linneweber should be given serious considerations.

I am a Lieutenant for the Billings Police Investigations Division and have worked with Brett for over seven years. Over the years, we have worked on several cases, me being the investigator and Brett being the prosecutor.

Brett has proven himself professional and determined. He follows procedure in the courtroom and is what I consider a balanced person.

I certainly recommend Brett for this position.

Thank you for your consideration.

Respectfully submitted,

Lieutenant Brian Krivitz

November 10, 2021

Governor's Office

Attention: Hannah Slusser

nominatejudges@mt.gov

Re: Thirteenth Judicial District Judge Vacancy

Advisory Council:

I am writing in support of the appointment of Brett Linneweber to fill the vacancy in the Thirteenth

Judicial District. Without question Brett has the commitment, qualifications, and experience to make an

excellent judge. I sincerely hope you will consider him for the position.

I have known Brett for many years. When I was a new county attorney, Brett was always quick to help,

and generous with his time and insight. Similarly, his co-workers tell me they can rely on Brett to share

his expertise and offer advice.

Almost as long as I have known him, Brett has articulated a genuine desire to take the bench. The

responsibilities and demands of a district court judge position demand not only legal expertise, but also

a tireless commitment. I firmly believe Brett not only has the experience, training, and demeanor

necessary to be a good judge, but also the dedication and drive necessary to fill the position.

I sincerely hope you select Brett to fill Judge Todd's vacancy.

Sincerely,

Alex Nixon

Attorney at Law

Governor's Office

ATTN: Hannah Slusser

PO Box 200801

Helena, MT 59620

Re: 13th Judicial District Court Letter of Support for Brett D. Linneweber

Dear Governor Gianforte and Judge Advisory Council:

My experience with Mr. Linneweber since the onset of his arrival at the Yellowstone County Attorney's Office has been nothing short of positive. The lengths he has taken to prepare he and myself for Court hearings are much appreciated. His ability to cite case law and present it in layman's terms, often advising the Court to assist in proper sentencings is remarkable.

Mr. Linneweber has a commitment to public safety and holding individuals accountable for the behaviors and conduct within the community. He is fair, reasonable, and willing to exercise proper judgment through the law and his own common sense rather than emotion. He is sensitive to victims' rights, needs and concerns and proceeds accordingly in his duties as a prosecutor.

Mr. Linneweber is an asset to the 13<sup>th</sup> Judicial District Court and the citizens of Yellowstone County as well as the State of Montana. His knowledge of the law, confidence, and authoritative disposition make him a great addition to this Court.

Mr. Linneweber has my support for a seat on the 13th Judicial District Court.

Respectfully,

Jason R. Rude

Montana Probation and Parole Officer

2615 4th Avenue South Billings, Montana 59101

Governor's Office

ATTN: Hannah Slusser

PO Box 200801

Helena, MT 59620

Re:

13<sup>th</sup> Judicial District Court Letter of Support for Brett D. Linneweber

Dear Governor Gianforte and Judge Advisory Council:

I have had the pleasure of working with Mr. Linneweber since he arrived at the Yellowstone County Attorney's Office in 2014. I have prepped several cases over the years with Brett for sentencing, probation violation hearings and disposition hearings. I have also absorbed some of his material regarding civil cases.

Brett is very knowledgeable in both civil and criminal law. He is able to speak and relay information in a manner that you appreciate and is comprehendible. I have attended trainings Brett has instructed, and I can definitely feel his passion for his work and for others to gain knowledge. He is community safety and victim restoration forward.

Brett would be a very valuable team member and would bring great professionalism and ethics to the already respected Judges in Yellowstone County. I back Mr. Linneweber for the next 13<sup>th</sup> Judicial District Judge.

Respectfully,

Kárri Eik

Montana Probation & Parole Supervisor

2615 4th Avenue South, Billings, MT 59101

Governor's Office Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59602 nominatejudges@mt.gov

Re: 13th Judicial District Judge Appointee

Dear Advisory Council:

I am honored to write this letter in support of Mr. Brett Linneweber for appointment as District Court Judge for the 13th Judicial District. I have had the pleasure of working with Brett at the Yellowstone County Attorney's Office and I believe he is an outstanding candidate worthy of this appointment.

In my time working with Brett, he has been a great mentor to me, and many of my colleagues. Brett is always willing to help and offer guidance to both the experienced and in-experienced attorneys around him. He has an impressive knowledge of the law and rules of evidence.

Brett has a diverse legal background in both civil and criminal law. He has tried a variety of cases and argued legal matters across the spectrum. In addition to being a successful practitioner, Brett is also an educator and has provided legal education to attorneys and non-attorneys. In my opinion such experience is necessary for a fair and well-rounded judge.

Brett has spent the majority of his career serving the public as a prosecutor and county attorney and I believe he will serve the community well if selected for this judicial appointment.

Sincerely,

Holley A. W. Metzger

Holley A. W. Metzger

=November 12, 2021 207 North Broadway, Suite 201 Billings, Montana 59101

Governor Greg Gianforte State of Montana State Capitol Helena, Montana 59620

Dear Governor Gianforte:

You have an opportunity to appoint as a judge in the Montana Thirteenth Judicial District, Yellowstone County, a person who has the background required for the position and the ability to learn quickly what he may not already know about the position: Brett Daniel Linneweber.

Before we go any further, let me establish my qualifications to speak to Brett's qualifications. I have worked full-time for 20 years as a Public Defender in Billings, Montana, the first five years at the Yellowstone County Public Defender's Office and the last 15 years at the Montana State Public Defender's Office in Billings. I will retire on December 10, 2021.

In writing this letter on behalf of Brett from such a vantage point, I am speaking **only** for myself and **not** for the Public Defender's Office or **any** of my colleagues. I can do so under Mont. Code Ann. § 2-2-121(3)(c): "This subsection (3) is not intended to restrict the right of a public officer or public employee to express personal political views."

I met Brett when we were students at the University of Montana School of Law, from which I graduated in 2001. We had a shared background that is of some relevance to the position he is seeking. We were both former high school debate coaches and thus quite familiar with the experience of teaching high-strung, high-functioning adolescents about the importance of evidence, arguments, and patience. This I have found to be a good background in writing briefs and explaining the law in a way people can understand, including explaining it to high-strung, high-functioning, and often impatient lawyers. This background will serve Brett well on the bench.

On a more serious note, Brett and I have been on opposing sides of various cases since he started working for the Yellowstone County Attorney's Office in 2014. These cases have involved accusations of serious crimes ranging from Incest to Felony Theft. During that time, I have found him to be accessible, not only to phone calls but to negotiation, reason, and compromise when such was needed. He'll explain his positions and why he takes them. He is well-read in the law.

He works his cases and reviews the evidence carefully with a mind to finding a way to resolve cases without trial.

Some may be concerned that Brett's most-recent experience has primarily involved prosecuting criminal cases. One source of such concern is that this experience has not provided sufficient training for him to meet all the demands district court judges in Montana encounter on a daily basis: that they master a broad range of subjects from easements to child support to homicides, as well as master any biases they may have that could result in unfair rulings for the prosecution.

In Brett's case, I believe that he knows enough about the job of being a district court judge to be able to master any biases he may have that, in turn, some worry may result in unfair rulings for the prosecution. He knows that any of his rulings would be subject to scrutiny and appeal, especially in a highly polarized political atmosphere. In his application materials, he has mentioned appeals in which he has been involved. Also, he has worked in this county long enough to realize what happens to judges who have not mastered either their biases **or** their tongues.

As for his background, I believe that he is smart enough and studious enough to learn how to address cases involving something other than criminal prosecution. These virtues are shown by his prior experience in Park County and his background involving the training of other attorneys.

Thank you for taking the time to read this letter. Of course, I am at your disposal should you want to talk to me any further about your opportunity to appoint Brett Linneweber to the 13<sup>th</sup> District Judicial Court.

Sincerely,

JAMES M. SIEGMAN, Attorney at Law

State Public Defender's Office

Billings, Montana

## **MOULTONBELLINGHAM PC**



27 North 27th Street Suite 1900 P. O. Box 2559 Billings, Montana 59103-2559

> Phone (406) 248-7731 Fax (406) 248-7889

## Gerry P. Fagan Gerry.Fagan@moultonbellingham.com

November 12, 2021

Submitted by email: nominatejudges@mt.gov

Governor Greg Gianforte Office of the Governor Attn: Hannah Slussen P.O. Box 200801 Helena, MT 59620-0801

Re: Thirteenth Judicial District Judgeship

Dear Governor Gianforte:

I am writing to you to comment on the application of Brett Linneweber for the position of District Court Judge for the Thirteenth Judicial District, Yellowstone County, Montana. I believe Brett would make an excellent Judge and recommend his application to you.

I have known Brett since law school at the University of Montana. I have tracked his career over the years. Brett has a strong, successful background in law enforcement. He was an excellent County Attorney for Park County for nearly a decade. He also gained a substantial amount of experience in civil law during that time, in addition to his work in criminal law. Brett continued his law enforcement work with the Yellowstone County Attorney's Office and has been an excellent, organized prosecutor in a fast paced office.

The knowledge and skill Brett has obtained as a County Attorney in Park County and as a Deputy County Attorney in Yellowstone County make him a great candidate for the District Court judge position. He is very experienced and knowledgeable, and a great person, as well. Brent would be an excellent choice for the position.

Sincerely,

By:

MOULTON BELLINGHAM PC

Gerry Fagan

Vice President and Shareholder,

Moulton Bellingham PC

4857-2741-1971, v. 1

Governor's Office P.O. Box 200801 Helena, MT 59620 ATTN: Hannah Slusser

Dear Ms. Slusser,

It is an honor to write this letter in support of Brett Linneweber as District Judge. I met Mr. Linneweber during the prosecution of my granddaughter's case. I had been in law enforcement in the State of Idaho for thirty years and met and testified in a variety of cases throughout my career. With this case I even consulted with my brother, who is a Superior Court Judge in Alaska as I verified what Mr. Linneweber was telling my daughter and granddaughter. I was concerned as this involved child molestation from her step-grandfather in Billings. Her step-grandfather owned his business, was prominent in the community along with his family and I was concerned my granddaughter would not receive the justice she deserved. When I traveled to Montana and actually met with and discussed the case, I found Mr. Linneweber to be compassionate and very knowledgeable with the law along with the standards of Montana. Mr. Linneweber tackled this case and was truly an advocate for my granddaughter. Mr. Linneweber kept me apprised of the case along with the steps being taken and the reason on why the case was not going to be taken to actual trial in order to spare my granddaughter from testifying.

I can honestly say I have met with many prosecutors and judges throughout my career and Mr. Linneweber falls within the top of this group. His knowledge and compassion were evident throughout this ordeal. It is my opinion that if Mr. Linneweber is given the opportunity to be appointed to the bench, he will bring this same professional expertise and compassion to each case before him.

Sincerely,

Kris L. Smith 2301 Horizon Dr. Pocatello, ID 83201 (208) 317-0104 Roznkris@gmail.com Dick Murphy P.O. Box 322 Livingston, MT 59047

November 1, 2021

Attn: Hanna Slusser Governor's Office P.O. Box 200801 Helena, MT 59620

#### To whom it may concern:

Below I have provided my recommendation regarding the consideration of the appointment of Brett Linneweber to the position of District Judge of the 13<sup>th</sup> Judicial District of Yellowstone County.

I have had the privilege of working directly with Brett. While serving as County Commissioner for Park County, Brett assisted us in ensuring that the elected commissioners all did our jobs to the best of our abilities. I (and others) relied on him to ensure that we did our job correctly and with a high degree of transparency and accountability. I felt he was there for us whenever the need arose, and although he was tasked with multiple key responsibilities as the County Attorney, he always made time for us when called upon to do so.

I feel Brett's honesty and integrity are of the highest standard and are traits he would demonstrate and carry forward while serving in the capacity of District Judge. Knowing Brett and his family as I have for many years, it feels easy to say that I firmly believe he would serve us all well as a fair and impartial judge.

Thank you for your consideration of Brett for appointment as District Judge.

Sincerely,

Dick Murphy

November 9, 2021

Governor's Office Attn: Hannah Slusser PO Box 200801 Helena, MT 59620 FAX: 406-444-4151 nominatejudges@mt.gov

Re: 13<sup>th</sup> Judicial District Judge Position Support for Brett Linneweber

#### Advisory Council:

I am pleased to write in support of Brett Linneweber for appointment to the District Judge position in the 13<sup>th</sup> Judicial District. I urge the council to give serious consideration to Brett Linneweber for this position, as Mr. Linneweber is uniquely suited for judicial responsibilities.

I first met Mr. Linneweber in 2007 when he was the elected Park County Attorney. At that time, the Montana Department of Justice was charged with developing a coordinated multidisciplinary response to crimes against children. Mr. Linneweber attended my presentation, asked pointed and analytical questions, and despite what had been his original skepticism, he committed to develop a Park County team dedicated to keeping children safe and holding offenders accountable.

Mr. Linneweber committed to best practices for Park County's response to child victims; he also extended his support on a statewide level to advance the principles of a coordinated community response to crimes against children. At that time, I was part of a small group of three child welfare professionals working to improve Montana's response to crimes against children. Mr. Linneweber demonstrated invaluable statewide leadership for our work which he offered with genuine commitment and humility. Leadership is multi-faceted, and Mr. Linneweber is an effective leader. In our efforts to serve children and communities he was available as an advisor, as an analytical problem solver, as a teacher, and perhaps most importantly he believed we would succeed in what seemed an overwhelming effort. Due, in no small part, to his consistent leadership the Children's Alliance of Montana is now an accredited chapter of the National Children's Alliance supporting ten accredited Children's Advocacy Centers in Montana and the Department of Justice offers high quality Child Forensic Interview training twice each year.

I admire Mr. Linneweber for his talent to listen to diverse positions, recognize and respect different perspectives and provide positive direction to address issues and concerns. He has a vision of what is possible to achieve and the perseverance to take each step to turn a vision into reality.

Please select Mr. Linneweber for the 13<sup>th</sup> Judicial District court.

Respectfully,

Dana Toole

Helena, MT

Office of the Governor of the State of Montana Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620

Re: Support for Brett Linneweber, Thirteenth Judicial District Court Judge vacancy

Dear Governor Gianforte and Advisory Council:

My name is Annie Marais and I am writing in support of Brett Linneweber for his appointment for District Court Judge in the Montana Thirteenth Judicial District Court.

I am a criminal legal assistant for the Yellowstone County Attorney's Office and have had the distinguished pleasure of working alongside Brett for approximately four years. I have known Brett to have integrity and grit when handling his caseload. He shows this through his dedication to seeking justice for the offender, victims and the community. Brett is a hardworking, organized and well versed in civil law and criminal law and procedure which I believe are all characteristics that a District Court Judge should possess.

Brett not only led the Park County Attorney's Office for many years but has also played a leadership role in his current position as Senior Deputy Yellowstone County Attorney. Outside of the courtroom, Brett is often called upon for advising attorney's and legal staff in the legality of cases. For me personally, Brett has been a well of information and has provided numerous amounts of knowledge that allowed me to better understand aspects of my job. His patience with legal staff is to be admired. Brett takes time to teach when questions are asked and takes time to listen and understand arguments.

While Brett's resume speaks for itself I believe Brett would bring the bench professionalism, strong judicial ethics and integrity. He would also bring consistency to the bench and would show this in the way he pronounced judgment. His professionalism would show through the way he handles disputes between litigants and the insight and mitigation he can provide. Because of Brett's vast legal knowledge and familiarity of local district rules he would bring swift and timely justice to all cases on his docket. His legal orders would be neat, tidy and done correctly and efficiently. The integrity he would bring to the bench would be shown through his judicial findings and timely filings. He is a thorough prosecutor and I believe he would bring the same thoroughness to his judgeship.

Brett is a valued member of our team and the Thirteenth Judicial District Court would be fortunate to have him.

Annie Marais 406-672-9804 annie.wertman@gmail.com

Fred Snodgrass, Esq. PO Box 2157 Billings, MT 59103

November 12, 2021

Governor's Office
Attn: Hannah Slusser
P.O. Box 200801
Helena, MT 59620
Sent via email to nominatejudges@mt.gov

Re: 13<sup>th</sup> Judicial District Court Judge Position/ Support for Brett Linneweber

Dear Advisory Council:

I am writing to express my support for Brett Linneweber for the appointment to the upcoming vacancy in the Thirteenth Judicial District Court, Yellowstone County. I have known Brett for seven years and have worked opposing him on many serious felony cases. Brett's vast experience as a former County Attorney, and now Senior Deputy County Attorney for Yellowstone County, coupled with his extensive knowledge of the case law regarding criminal cases, will complement the bench here in Yellowstone County. I expect his experience and work ethic will allow him to transition smoothly into both the criminal and civil caseload carried by Judges in the 13<sup>th</sup> judicial district. His knowledge of the law, and his work as a trial attorney will benefit the citizens of Yellowstone County.

Brett has always been courteous and professional to me regardless of how contested the case. Not once have I questioned his integrity with respect to how he was prosecuting a particular case. Outside of the courtroom, he has always maintained a collegial temperament with me and I have observed the same from him with opposing counsel on his cases. This level of professionalism would serve the public well and instill confidence in the judiciary, which is absolutely critical at this time.

Sincerely, /s/

Fred Snodgrass Attorney at Law

#### November 7, 2021

Governor's Office ATTN: Hannah Slusser P.O. 200801

Helena, MT 59602-0801 Fax: (406) 444-4151 nominatejudges@mt.gov

Re: 13th Judicial District Court Yellowstone County, Department 4

Support Letter for Brett D. Linneweber

#### Advisory Council:

I am writing in support of the application of Brett D. Linneweber for the District Court Judge position in the Thirteenth Judicial District, Yellowstone County.

I have known Brett Linneweber for nearly the entirety of my twenty years as a Montana attorney serving as the elected County Attorney in three Montana Counties: Powder River, Custer and Sanders County and later serving a four-year appointment to the Montana Board of Pardons and Parole.

Brett and I served together on the Montana County Attorney's Association Executive Board from 2007 through 2011. During that time, Brett was serving as the Park County Attorney and I was serving as the Sanders County Attorney. Brett was an active board member displaying a broad knowledge of the civil as well as criminal issues facing county attorneys across the state. During legislative sessions, Brett frequently testified in support of legislation sponsored by the Association.

Brett and I are both founding members of the Children's Alliance of Montana, a nonprofit organization providing support, training and technical assistance to Child Advocacy Centers (CACs) and Multidisciplinary Teams (MDTs) across Montana to ensure every child victim of abuse has access to services. We served during the program's infancy when there were only three CACs and four MDTs across the state through its development into an accredited State Chapter of the National Children's Alliance with a current membership composed of 10 nationally accredited CACs and 16 developing or satellite CAC's. We served together on the Board of Directors from 2008 to the present video conferencing weekly with the executive director and board members. Brett was involved at every level of the program from recruiting the executive director, writing and implementing protocols, budgets, and training programs. He served in every position on the board throughout his tenure consistently demonstrating a commitment to improving services to children.

Brett is very articulate and has a calm, steady considered demeanor. He is consistently polite to all involved; conscious of everyone's opinions. He is always well prepared having read all documentation required. If he does not know the applicable law, which is rare indeed, he does not hesitate to do the necessary research.

Having practiced law in multiple District Courts across Montana, I have had the opportunity to observe many District Judges. Although each judge was different, a number of them stand out in my memory as exceptional judges. They maintained control of their courtroom in a calm decided manner. They were well prepared having reviewed all of the documents in the file. They were courteous to court staff and all parties involved offering everyone the opportunity to be heard. They were conscious of everyone's opinions and most importantly they demonstrated a deep commitment and respect for our system of justice.

In the years I have known and worked with Brett Linneweber, he has consistently exhibited the characteristic I found commendable in the best District Judges I practiced before. Without reservation, I recommend Brett for appointment as the Thirteenth Judicial District Judge.

Very Truly Yours,

Coleen I. Magera

Attorney at Law (Retired/Senior Status)

Colon & Magery

1294 Stetson Road

Helena, MT 59602

November 11, 2021

Sent via email to: <a href="mailto:nominatejudges@mt.gov">nominatejudges@mt.gov</a>

Governor's Office Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620

Re: 13<sup>th</sup> Judicial District Judge Position –

Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Committee:

I am writing this letter to express my support for Brett Linneweber to be appointed as judge for the vacancy left by Judge Todd in the Thirteenth Judicial District Court, Yellowstone County.

I have had the privilege of working alongside Mr. Linneweber for the past year at the Yellowstone County Attorney's Office. During this time, he has proven to be a wonderful resource and mentor for me as I learn to navigate Montana's laws after practicing for several years in Colorado. He has demonstrated his vast knowledge of the complexities of Montana's laws, particularly surrounding issues pertaining to mental health as well as sexual offenses.

Mr. Linneweber is someone who makes difficult decisions on a daily basis, but does so with a well-reasoned analysis grounded in a firm understanding of the law. He successfully maintains a heavy and complex caseload, primarily made up of a high number of homicide and sexual offense cases. Despite his demanding caseload, he still makes sure to assist his coworkers, whether by researching a legal issue for them when they are in the middle of trial, covering hearings, or charging cases for them. He is a team player and carries his high level of professional and ethical integrity in all he does.

While I am honored to work with Mr. Linneweber, I am certain he would be an invaluable asset to the bench here in the Thirteenth Judicial District. He is fair, respectful, courteous to all, and has a mastery of the law that would serve this community well. I highly recommend him for this position.

Sincerely,

Arielle Dean Senior Deputy County Attorney Yellowstone County Attorney's Office adean@yellowstonecountymt.gov Sabrina K. Currie Deputy County Attorney 217 North 27th Street Billings, MT 59107 scurrie@yellowstonecountymt.gov

Governor Greg Gianforte
Judicial Advisory Council
ATTN: Hannah Slusser
PO Box 200801
Helena, MT 59620
via email: nominatejudges@mt.gov

RE: Letter of Support for Brett Linneweber

Advisory Council,

I am a Deputy County Attorney at the Yellowstone County Attorney's office. I am writing in support of Brett Linneweber for appointment to the vacancy left by the Honorable Gregory Todd in the 13th Judicial District Court.

I have not known Brett long, yet already have many fond memories of my interactions with him. During my first week in the office, I observed Brett make arguments at a parole hearing. I was immediately impressed by his professionalism, knowledge of the law, preparedness, and candor. I had questions right after the hearing and he seemed genuinely happy to share his experience with me. He immediately made me feel welcome and valued.

Since then, I have gone to Brett countless times seeking guidance on a variety of issues. Despite being exceptionally busy, Brett has never turned me away and has never made me feel like he had more important things to do. He even shared his calendar with me and extended a standing invitation to join him for anything of interest to me. He told me if I ever needed anything, to just reach out. I know he really meant it as demonstrated by his actions on a daily basis. He is honest, sincere, dependable, kind, and generous. He also has a delightful sense of humor and his laughter is a welcome reprieve on the hard days.

I've watched Brett interact with other prosecutors, support staff, law enforcement officers, judges, opposing counsel, and victims of violent crimes. His demeanor is consistent and steady with everyone. He makes himself available while also maintaining firm boundaries. He communicates clearly and takes the time to listen.

When Brett shared that he was applying for District Court Judge, I was thrilled! I recognize my legal career is only just beginning. But I could not think of a single legal professional better suited for this position. Brett is a class act. The County Attorney's Office will experience a tremendous loss with his departure. But he is ready, willing, and more than qualified to step into this next chapter of his lengthy and admirable legal career.

Brett Linneweber will be an extraordinary Judge. It is so easy for me to imagine him presiding over cases and it will be a privilege to practice in front of him. He will insist on excellence and make better lawyers out of us all.

Thank you for your consideration.

/s/ Sabrina Currie
Sabrina Currie
Deputy County Attorney

ROBERT A. KURTZMAN, D.O., FCAP

2411 Elm Street, Billings, Montana 59101 | 970-260-4948 | Rob@RobKurtzman.com

November 4, 2021

Recipient

ATTN: Hannah Slusser

P.O. Box 200801

Helena, Montana 59620

RE: Thirteenth Judicial District Court, Yellowstone County, Department 4; support for Brett Linneweber

Governor Gianforte and Advisory Council Members:

I am pleased to write in support of Brett Linneweber as a candidate for the 13<sup>th</sup> Judicial District Court Judge Position in Yellowstone County. I have been a resident of Billings, Montana since November 2015 when I moved here to serve as a Medical Examiner with the Montana State Department of Justice, Forensic Science Division - Medical Examiner's Office (Crime Lab). In over 33 years working as a forensic pathologist, I have been involved in many complex cases and worked with many attorneys in District and Federal Courts in Michigan, Colorado, and Montana. In my capacity as Chief Medical Examiner in Montana, I have had the pleasure of working directly with Brett in his capacity as Senior Deputy with the Yellowstone County Attorney's Office. When working with Brett, his experience is immediately apparent. He is thoughtful, detail oriented and easily grasps complex topics that are relevant to successfully understand and prosecute criminal matters. Brett's ability to work with co-counsel and opposing counsel is exemplary in the pretrial and trial phase of his cases.

I believe Brett would be an excellent choice to serve as a Yellowstone County District Court Judge and uphold Montana law impartially and with respect to all parties.

Thank you for your consideration,

Robert A. Kurtzman, D.O. FOAP

October 29, 2021

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620-0801 nominatejudges@mt.gov

RE: Letter of support for Brett Linneweber for District Judge in the 13<sup>th</sup> Judicial District

Dear Governor Gianforte and Advisory Council:

I am honored to write this letter in support of Brett Linneweber for the appointment to the vacancy left by Judge Todd in the Thirteenth Judicial District, Yellowstone County. Brett is an incredible person and I hope you will seriously consider him for the position.

As a serologist at the State Crime Laboratory since 2006, I have had the pleasure of knowing Brett since he was the County Attorney in Park County. I have worked with him numerous times over the years and have the utmost respect for him. His integrity and professionalism speak volumes to his character and are qualities that will allow him to excel as a District Judge.

In my experience in working with Brett, it is clear he is dedicated to upholding the law, ensuring that victims are heard and receive justice and that the defendants also treated with respect, their rights are maintained, and procedures are carefully followed so that zero errors are made. Whenever I have testified and he was the prosecuting attorney, he was always very prepared in the court room, and you could tell he spend a lot of time making sure he knew all he could about the case and evidence. We have had numerous conversations over the years where he spent a lot of time really trying to learn about the scientific processes at the laboratory so he could better understand the evidence and how best to present it in court. He asks intelligent questions and really listens so that he can comprehend the answer. He never talks down to people and speaks plainly and in a manner that everyone can understand, and he's always jovial and pleasant and truly cares about people and doing the right thing.

Furthermore, he's dependable and doesn't forget anything important or blow off even the most trivial of requests. As part of our job we ask for evaluations/reviews of our testimony so we can work on an improve our testimony. I testified on a case with Brett in early 2020, but because the matter was not settled Brett didn't want to fill out the review at the end of the year until the case was completely settled and there could be no question of any undue influence. I really appreciate the thoughtfulness of that decision, and it goes to show that even the smallest of details doesn't escape his attention. As soon as the case settled, he sent me the testimony review even though I had long forgotten about it.

I believe Brett would do more than excel as District Judge, I believe he would impartially and justly uphold the law and be an asset to the Thirteenth Judicial District. I hope you'll consider his appointment, so that

he can continue to help Montanans with his knowledge, compassion and commitment to always doing what is right.

Respectfully,

Lacey Van Grinsven

Serologist

State of Montana Forensic Science Division

Locey Van Drinson

Hannah Slusser Governor's Office P.O. Box 20081 Helena, Mt. 59620-0801

11-4-2021

Dear Governor Gianforte and Commission Members,

We are writing this letter to express our strong support for Brett Linneweber to be appointed as the judge for the Thirteenth Judicial Courts open seat.

We have known Mr. Linneweber in a professional capacity for 13 years while he worked as Deputy Park County Attorney and later serving as the Park County Attorney. My husband worked with Mr. Linneweber while he was a Park County Commissioner from 2001-2005. Since Edward served as Chairman of the Park County Commission for 3 years he was able to work very closely with Mr. Linnewebber since he handled all of the counties civil areas of practice as outlined in question #13. Edward found Mr. Linnewebber to be very knowledgeable of the law, worked diligently on all issues and was well reasoned and researched. Mr. Linneweber had a calm and caring demeanor both in and out of the courtroom. He had the skills and ability to work with all sides and represented Park County with a respectful and honorable work ethic.

Ann worked with both Mr. Linneweber and his wife, Anna Marie, from 2001-2014 while developing CASA/GAL OF Park and Sweet Grass Counties. We all spent many hours developing policies and procedures and obtaining our 501(c)3 determination. The CASA program worked with Mr. Linneweber on many of these cases. Once again he was very knowledgeable of that particular area of law, was very open and worked with the CASA volunteer advocates as well as all the other attorneys involved in order to achieve the best outcomes for these children. As of 2021 this program is thriving and serving the counties most vulnerable children suffering abuse and neglect.

We have great confidence that Mr. Linneweber has the ability, intelligence and skills to work with all the Court personnel in dealing with all the issues and to ensure access to justice for all of Yellowstone County citizens.

For these reasons, we hope that you appoint Mr. Linneweber to the open seat for the Thirteenth Judicial District.

Edward and Ann Schilling 1451 Highway 89 North Clyde Park, Montana 59018



November 5, 2021

#### SENT VIA EMAIL

Office of the Governor Governor Gianforte Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620-3005 nominatejudges@mt.gov

RE: Letter of Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Committee:

I am writing in support of Brett Linneweber's candidacy for district court judge. I believe that he will be the best candidate to fill the upcoming vacancy in the Thirteenth Judicial District Court.

I have been practicing law in Montana since 1977. I started West Law Firm, P.C., in 1982 in Billings, Montana. During my career, I have practiced in front of many judges in the district courts and courts of limited jurisdiction in Montana. A judge must possess the necessary experience, wisdom, and temperament to effectively render judgment that is not only based in law but serves justice for the parties involved.

In my experiences knowing Brett, I have found him to be competent, reasonable, and approachable. Our paths have crossed based upon representation of criminal clients charged with felonies. I have found Brett to be appropriate in his position as a prosecutor, balancing the needs of the State with the circumstances of the defendant.

My observation of Brett is that he has the ability to see the "big picture." This type of thinking is paramount for the person sitting as a district court judge. Brett has respect for the law and an analytical mind to determine what outcome serves not only the parties, but also the community, in the best way possible.

I believe that Brett would serve our public well and provide a service that should be expected of a judge in the Thirteenth Judicial District. For the foregoing reasons, I believe that Brett would be an excellent choice for district court judge. Thank you for your consideration.

Sincerely, Jock B. West

West Law Firm

Grace Brekhus 5531 Elysian Rd. Billings, MT 59101

October 15, 2021

Hannah Slusser Governor's Office P.O. Box 200801 Helena, MT 59620

Re: Thirteenth Judicial District Judge Position- Letter of Support for Brett Linneweber

Advisory Council Members:

I have had the privilege of working with Brett Linneweber for the past 3 years as a Victim/ Witness Coordinator at the Yellowstone County Attorney's Office. Brett is the Prosecutor on about half of my caseload, so I work closely with him, daily. Since I began working with him, Brett has always taken the time to teach me about the justice system, policies and procedures, in order to help explain the court process to the victims and witnesses I work with. He is kind, thoughtful, patient, and truly listens to the victim's thought and concerns. Brett is a wealth of information and experience, and never hesitates to provide guidance and mentor others in the office. I am honored to have had the opportunity to work so closely with Brett and I think he would be an asset to the people of Yellowstone County.

Sincerely,

Grace Brekhus



November 3, 2021

Governor's office ATTN: Hannah Slusser PO Box 200801 Helena, MT 59620 nominatejudges@mt.gov

Ladies and Gentlemen of the Advisory Council;

I am writing in support of appointment of Brett Linneweber for the vacancy in the 13<sup>th</sup> Judicial District Court.

I met Brett through the Montana County Attorneys Association, where Brett served as a Director for several years. Observing Brett influenced me to be more active in the association, and I followed in his footsteps and served as a Director and later as the president of the association. This experience provides a unique perspective on issues that affect the state as a whole. I believe that this experience would be very helpful as a District Court Judge.

Brett has handled many difficult cases, and has a great deal of courtroom experience. Given that he previously served as the Park County Attorney, he has a significant amount of experience as a local elected official. This is invaluable to a District Court Judge, also a local elected official.

Brett has a great courtroom presence and demeanor, and he is fair to a fault. Both qualities will serve him well as a District Court Judge.

Brett is also very conscientious. I recall being at a training with Brett when I was very new to prosecution. I participated in an interactive activity that went spectactularly bad for me. The criticism from the trainers and the other participants was hard to take. Brett saw that I was struggling, and he chimed in support for me, and he said he knew where I was coming from. I think he was the only one who noticed how hard I was taking it, and he wasn't afraid to intervene, even if it went against the grain. I don't know what more you could ask for in a District Court Judge.

Brett will be a fair judge, and he will serve the people of the state of Montana well. Please consider him for appointment as District Judge for the 13<sup>th</sup> Judicial District.

Sincerely,

Wyatt A. Glade

Custer County Attorney

Governor's Office
ATTN: Hanna Slusser
P.O. Box 200801
Helena, MT 59620
nominatejudges@mt.gov

Re: Thirteenth Judicial District Judge Position;

Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Committee,

I write this letter in support of Brett Linneweber for District Court Judge for the Montana Thirteenth Judicial District.

I am a retired deputy sheriff with Yellowstone County and currently work as a probation/parole officer in Billings. I have had the pleasure of working with Mr. Linneweber in both capacities since 2014. I know him to be honest, motivated and highly intelligent. Mr. Linneweber is the approachable professional I want administering justice in my community.

Respectfully,

Micky Eckart 809 Governors Blvd Billings, MT 59105

# ANDERSON & VOYICH

#### ATTORNEYS AT LAW P.L.L.C.

Kellie A. Voyich, Esq.

Vuko J. Voyich, Esq.

104 East Callender, Suites 2 & 3 P.O. Box 1409 Livingston, MT 59047 office@andersonandvoyich.com (406) 222-9626 (Fax) (406) 222-5628

November 4, 2021

Governor Greg Gianforte c/o Hannah Slusser, Governor's Office P.O. Box 200801 Helena, MT 59620 Email: nominatejudges@mt.gov

Re: Brett Linneweber Letter of Support, Thirteenth Judicial District Court Judge Position

#### Dear Governor Gianforte:

Please accept this correspondence as our joint letter in support of Brett Linneweber filling the district court judge position opening in Yellowstone County, Montana. We got to work with, and get to know, Brett during his tenure at the Park County District Attorney's office. When he left to start work in early 2014 in Billings, he was the Park County Attorney. Our interactions with Brett were frequent and significant as our office represents the Park/Sweet Grass County CASA program and local CASAs. During Brett's tenure, the CASA, and his/her appointed attorney (our office), was treated as a party to the proceedings and included in all aspect of the case, including the court room. As such, we often interacted with Brett on behalf of youth in need of care children/families.

Our experience in working with Brett showed him to be a consistent and dedicated advocate. He put in long hours and was extremely organized. In the courtroom, we could be assured of Brett being fully prepared and considerate in his demeanor. He always made himself available for communications and interactions, which included ensuring the free exchange of information. He is a committed civil servant, who puts in the time and effort to know the law and push for it to be followed. Brett is a solid choice to replace retiring Judge Todd, and we are pleased to submit this letter of support on his behalf.

If you have any questions about our support, please do not hesitate to reach out to either of us. Your consideration in this decision is appreciated.

Sincerely.

Kellie & Vuko Vovich

### Barbara E. Maddren-Broughton 230 South D Street Livingston, MT 59047

VIA Email: nominatejudges@mt.gov

Office of the Governor Governor Gianforte Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620-3005

**RE:** Candidate Brett Daniel Linneweber
Postion for District Judge, Thirteenth Judicial District

Dear Governor Gianforte and Members of the Advisory Committee:

This letter is in support of the appointment of Brett Daniel Linneweber as District Court Judge for the Thirteenth Judicial District Court. As a Child Protection Specialist Supervisor, I worked closely with Brett from January 2001 to February 2014 during the time he served as Deputy County Attorney and County Attorney in Park County

Brett Linneweber performed his duties with integrity, diligence, fairness, and a thorough knowledge of the legal statutes which govern abuse and neglect cases. He was well organized and orderly in the performance of said duties. Brett Linneweber used a team approach and listened carefully to all attorneys and parties to the case prior to determining the best approach to pursue for each individual case. He was available and responsive to the Department. Brett organized and facilitated joint trainings with the deputy county attorneys under his supervision and the Department to ensure Child Protection Specialists' compliance with state and federal statutes including compliance with the Indian Child Welfare Act.

Brett Linneweber displayed to have a compassionate and respectful approach both for the child(ren) and parents who were parties to the Department's numerous cases. Brett Linneweber was well prepared for all court cases. He presented each case clearly and respectfully in court to enable the judge and all parties to understand the issues and complexities of the case. He was conscientious and skillful when preparing witnesses and helping the witness to be able to focus on the details of the case while testifying.

Brett Linneweber has clearly shown he possesses the ability and character to honorably meet the requirements of the Thirteenth District Court Judge. It is without reservation that I fully support Brett Lineweber for the position of the Thirteenth District Court Judge.

Barbara E. Madden - Broughton

Respectfully,

Barbara E. Maddren-Broughton

#### Brenda George 7300 Horsemans Way, Shepherd, MT 59079 Phone: 406-672-2136

Email: binelligeorge@icloud.com

November 2, 2021

Governor Greg Gianforte
Judicial Nomination Advisory Council
ATTN: Hannah Slusser
P.O. Box 200801
Helena, MT 59620

RE: Letter of Support for the Judicial Nomination of Brett Linneweber to the 13th District Court

Dear Governor Gianforte and Members of the Advisory Council,

As the Director of the Children's Alliance of Montana, I am honored to submit this letter of support encouraging the nomination of Brett Linneweber in his candidacy for District Court Judge in the 13<sup>th</sup> Judicial District Court. The Children's Alliance of Montana is a network of Children's Advocacy Centers (CACs) and Multidisciplinary Teams (MDTs) who respond to allegations of child abuse.

Brett is a founding board member of the Children's Alliance of Montana. I first had the pleasure of meeting Brett approximately 14 years ago when he was the Park County Attorney and I have worked with him since. While a very busy elected County Attorney and Senior Deputy County Attorney, Brett devoted countless hours of his time to the organization and growth of the Children's Alliance of Montana, multidisciplinary teams and CACs across Montana. Brett gives tirelessly of his time to mentor other professionals, especially prosecutors. He believes in thorough investigations and in providing child-appropriate places where children feel comfortable and safe to talk to trained interviewers about the unthinkable details surrounding their abuse. He is a tireless advocate for training and best practices for professionals as he demonstrates through mentoring and training them. As faculty for our Montana Child Forensic Interview Training, he trained participants how to defend their forensic interviews in court and he facilitated forensic interviewer peer review. He makes himself available to also provide one-on-one consultation with many prosecutors and other MDT members across Montana.

As Park County Attorney and a Senior Deputy Yellowstone County Attorney, Brett led multidisciplinary teams while exhibiting leadership through compassions, fairness, thoroughness and hard work. He expects the same personal effort of the investigators, advocates, medical providers and mental health providers on his team.

Brett served for 6 years on the Executive Committee as Vice-Chair, Chair and Immediate Past Chair. He gave significantly of his time and expertise to bring the Children's Alliance of Montana where it is today – 10 nationally accredited CACs, 2 Satellite CACs, 14 developing CACs across Montana. While in these leadership roles, he also travelled in state and out of state to state, regional and national meetings and trainings to represent Montana and to promote best practices and the growth of the Children's Alliance of Montana.

As a founding board member, Brett believes multidisciplinary teams are the effective way of handling child abuse cases. No single agency has the capacity to provide all the necessary services and support when faced with these cases. Professionals must come together to share information and work together for the best interest of the child. Brett is a talented prosecutor committed to seeking justice for victims and holding offenders accountable.

Brett's personal qualities would make him an excellent Judge. Brett is kind, diligent and wicked smart, with an uncanny ability to remember almost everything. As a prosecuting attorney, he carefully balances compassion with sternness and fairness. As a judge, Brett would be fair and impartial in exercising good judgment in resolving the matters before him.

I am grateful for this opportunity to write a letter of support for a man who has meant so much to me and my career in Montana.

Sincerely,

Brenda George

Corbit S. Harrington P.O. Box 1 Ekalaka, MT 59324

11/3/2021

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620 FAX: (406) 444-4151 nominatejudges@mt.gov

RE: 13<sup>th</sup> Judicial District Judge Position Support for Brett Linneweber

Advisory Council:

I am honored to write in support of Brett Linneweber for the appointment to the vacancy left by Judge Gregory Todd in the 13<sup>th</sup> Judicial District Court, Yellowstone County. I strongly recommend that the Council and Governor appoint Brett Linneweber for the judicial position.

I have known Brett Linneweber since he began working as a Senior Deputy Yellowstone County Attorney in 2014. I worked with Brett as I was also a Senior Deputy Yellowstone County Attorney for over 22 years. As my primary field was in child abuse and neglect cases, I often consulted and communicated with Brett when he was handling related felony criminal cases associated with child abuse. Brett was knowledgeable about matters pertaining to the criminal as well as the civil law involved in both types of cases. Brett showed good judgment, keen legal analysis, and professionalism in his effective representation of the State on such cases. Further, Brett showed a genuine interest in obtaining help for victims of crime and abuse while achieving the best possible results for victims.

The bulk of cases that will be handled by a Judge in the 13<sup>th</sup> Judicial District Court will be related to criminal matters, family law matters, and child abuse and neglect matters. Brett brings and abundance of experience and knowledge in practicing in these areas as well as in the plethora of other legal areas handled by Montana County Attorneys including mental health commitments, youth court matters, state and federal programs, county funding, management of personnel, human resources, and election matters. Yellowstone County needs judges who have experience in multiple areas of the law, and Brett has that experience.

I strongly support the appointment of Brett Linneweber to Judge for the 13<sup>th</sup> Judicial District Court.

Very Truly Yours, Corbit S. Harrington Attorney at Law 27 October 27, 2021

Attn: Hannah Slusser Governor's Office POB 200801 Helena MT 59620

Dear Ms. Slusser,

It is an honor to write this letter in support of Brett Linneweber as District Judge. I have known Brett for about 3 years now and can say without a doubt he is a very fair, attentive, and prepared man. When Brett came into my family's life it was during the hardest, most crushing experience we never thought we would ever have to endure. Knowing that "the state" was on our side wasn't a reassuring. WE assumed that would make us just another number and not a priority. We were wrong! Brett called me personally anytime anything came up good or bad and was so gentle and reassuring when delivering bad news. I never had any question as to what was going on or even what the outcome would be. He was always 100% prepared to address anything and everything no matter how long it might take. He took our case extremely seriously and is the reason that I now truly believe in "the system" as I know that with people like him involved - it works.

The case was in regards to my young daughter (13). It lasted several years. The way that he reassured her, spoke with her, and supported her as a human being was a huge part of her trauma recovery. As the case progressed the communication with us was admirable, sometimes just a phone call to say "still nothing just checking in, is everyone doing ok?"

I believe in my heart that this was a Prosecutor going above and beyond for a victim. If needed he would call on a weekend, and I believe once on a holiday or close to Thanksgiving as the case got pushed back several times. He was never complacent and had the same energy, heart, and drive the whole time. I, as a working class civilian, couldn't believe the care that he took of my family knowing that we weren't paying him. He worked harder than the defense team and knew all of the laws and loopholes in and out for both sides. I'm not completely sure what else I can say other than; if you are looking for an individual with absolute honor, a tireless work ethic, and a devotion to doing the right thing for those that need it most – then he is absolutely qualified.

My daughter would just tell you that he is her hero.

Very Sincerely

Stephanie Rexford

stephanie@rubiconcarenetwork.com

(406)927-2222

### Slusser, Hannah

From: Tracey Schuster <avalon1208@gmail.com>
Sent: Tuesday, November 2, 2021 12:05 PM

**To:** NominateJudges

**Subject:** [EXTERNAL] Brett Linneweber

Sent via email to nominatejudges@mt.gov

Hannah Slusser

Governor's office

P.O. Box 200801

Helena, MT 59620

RE: Letter of support for Brett D Linneweber

This letter is in support of Brett Linneweber as Thirteenth District Court Judge. I am a Victim Witness Coordinator and work closely with the prosecutors in our office.

I have worked with Brett for five years. He has a wealth of experience and expertise. He has always been fair and works hard as a public servant. He spends much time working through what is fair and just for all of his cases and helps newer attorneys as well in their determinations. He works some of the hardest cases that come through our office and put the time into each one that is needed.

It is important to me as a resident of Yellowstone County that we have fair unbiased Judges overseeing the Criminal Justice System of Montana. I believe we would have that in Brett Linneweber.

Sincerely,

**Tracey Schuster** 

1781 Country Manor Blvd

Billings, MT 59102

406-860-4420

Avalon1208@gmail.com

## COL THOMAS ENGLISH (Ret) 4237 Woodgrove Dr Billings MT 59106 406-425-0275

October 15, 2021

Honorable Greg Gianforte Governor State of Montana

I wholeheartedly recommend Brett Linneweber as a District Judge for Yellowstone County. For more than a year I knew Brett through my work in the Yellowstone County Attorney's Office. I do not normally like other attorneys as I became one only after many years of law enforcement. I retired after more thirty years of service in the Army. I also retired as a U.S. Administrative Law Judge and Assistant U.S. Attorney. Additionally, I served Governor Gary Johnson as his Secretary of Public Safety.

Brett is the hardest working prosecutor I have ever encountered. He possesses a unique mind geared toward litigation and the law. He is also a very genuine and kind individual. If I were to think of the best candidate to have the power of a District Judge, Brett would be the first person coming to my mind. I am no longer with the Yellowstone County Attorney's Office, for personal reasons, yet I greatly miss working on a team with Brett.

Yellowstone County needs change to deal with its crime problem. Brett would be a leader to make those changes. If you desire the legacy of appointing smart qualified Judges start with Brett as he will not let you down.

Should you need any additional information or to verify this letter please reach me at <a href="mailto:thomasenglish35@gmail.com">thomasenglish35@gmail.com</a>. Since I am retired, I no longer have a government email account.

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Respectfully,

COL Thomas L. English

THE RESIDENCE OF THE RESIDENCE OF THE STATE OF THE STATE

USA (Ret)

# MICHAEL D. SULLIVAN, LCSW

## Comprehensive Forensic Mental Health Services

304 Grand Avenue Billings, MT 59101-5923 msull@mdsforeusics.net Ph: 406-245-1776 Cl: 406-861-6391

November 1, 2021

Hannah Slusser Governor's Office P.O. Box 200801 Helena, MT 59620

RE: Letter of Recommendation for Brett Linneweber, Thirteenth Judicial District Court

Ms. Slusser and Advisory Council:

I am honored to write in support of Brett Linneweber for appointment to the vacancy that will be left by the Honorable Gregory Todd, District Court Judge, Montana Thirteenth Judicial District. I have known Brett professionally since 2001 when he was employed as Park County Deputy County Attorney. Since that time, I have had numerous opportunities to work with and in relationship to Brett, specifically related to my work performing Forensic Evaluations, Expert Legal Services, and Testimony. At this point, I would estimate that I have worked on at least forty cases where Brett has been the Prosecutor. This includes testifying in which I was either subject to direct or cross-examination by Brett.

Brett is always prepared, generally more than the other side. He is tough, but reasonable. I've always found him to be an attorney who understands his role and responsibility and operates within both. He is respected by both defense attorneys and his fellow prosecutors. I have rarely encountered an attorney who spends as much time as Brett does reviewing the professional literature relative to cases that he is prosecuting.

While I am saddened to see Judge Todd retire, I believe that Brett would be an outstanding replacement and carry on the quality judicial work with which I have become very familiar in the Court. As a judge, Brett would no doubt be respectful to all parties and balanced in his

Hannah Slusser and Advisory Council November 1, 2021 Page II

approach. He is not an individual who would be swayed by emotion or politics. As noted above, he is thorough and detail oriented. His experience at both Park County and Yellowstone County has been excellent preparation for the varied cases that a District Court judge presides over.

To reiterate, I have no doubt that if appointed, Brett Linneweber will be an excellent District Court Judge, and serve Yellowstone County intelligently and honorably.

Sincerely

Michael D Sullivan LCSW

Comprehensive Forensic Mental Health Services

1450 Watson Peak Billings, MT 59105 October 27, 2021

#### Dear Governor Ginaforte:

I write this letter on behalf of Brett Linneweber for District Court Judge for the Montana Thirteenth Judicial District. I support him as a candidate for this position and wholeheartedly endorse his selection.

I have had the opportunity to work with Brett since 2014. I am a retired deputy sheriff with Yellowstone County and currently work as probation officer in Billings; I have worked with him in both of these capacities. I know Brett to be dedicated to his profession and highly regarded as an attorney in Yellowstone County. He is very knowledgeable about both criminal and civil law as well as matters including probation revocations. I have utilized his advice and guidance as both a deputy and probation officer, and he has always exhibited the highest degree of professionalism. He possesses integrity and good judgment, and he is meticulous in his work.

Brett possesses the characteristics that a judge should possess. With his temperament, his thoughtful nature, his willingness to serve, his knowledge, his respect for the law, and his ability to make tough decisions, he would be able to face the challenges that a judge has and handle them effectively. As a citizen of Yellowstone County, Brett exemplifies the type of person I would want to serve as a District Court Judge. I offer him my highest recommendation.

Sincerely,

Shane Skillen



WWW.COKKINZLERLAW.COM

PHYSICAL ADDRESS

CARNEGIE LIBRARY BUILDING

35 NORTH BOZEMAN AVENUE

BOZEMAN, MONTANA 59715-3627

PH: 406.587.4445

MICHAEL D. COK TRAVIS W. KINZLER

JONATHAN M. COK

P.O. Box 1105
Bozeman, Montana
59771-1105

FX: 406.587.9465

November 1, 2021

Hannah Slusser Governor's Office P.O. Box 200801 Helena, MT 59620-0801 SENT BY USPS AND EMAIL TO:

nominatejudges@mt.gov

RE: 13th Judicial District Judge Position

Dear Ms. Slusser:

Please accept this letter as support for Brett Linneweber for District Court Judge in the Montana 13th Judicial District.

I have known Brett for over twenty years. Brett brings a broad range of legal experience that gives him the experience to be a good district court judge. His personality and demeanor have served him well in handling a variety of legal issues.

His community service and especially his desire to help the youth in Montana will allow him to bring a perspective to the Court which will be beneficial to Montana. He is a good listener with high integrity, both qualities that would make him a good district court judge. Thank you for considering this letter of support for Brett as the next district court judge in the Montana 13<sup>th</sup> Judicial District.

Sincerely yours,

**COK KINZLER PLLP** 

Travis W. Kinzler

twkinzler@cokkinzlerlaw.com

k

Ingrid A. Rosenquist 203 Lewis Ave Billings, MT 59101

November 1, 2021

Governor's Office Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620 nominatejudges@mt.gov

Re: Judicial Nominations for the 13th Judicial District Judicial Opening

Dear Governor Gianforte and Members of the Advisory Committee:

I am writing this letter to offer my support to Brett Linneweber for the judicial opening in the 13<sup>th</sup> Judicial District Court. I believe that Brett would make an exceptional addition to the bench in Yellowstone County.

I have known Brett for years – extending back to his tenure as the Park County Attorney prior to coming to work at the Yellowstone County Attorney's Office. Since coming to the Yellowstone County Attorney's Office, Brett quickly became an integral part of the office due to his breadth of knowledge, strong work ethic, and his ability and willingness to mentor/assist other attorneys within the office.

Brett has a temperament well-suited to become a member of the judiciary. He is patient and understanding when working with others and is always willing to assist others even when working his own heavy caseload. In an often stress-filled job, he stands out for his ability to be patient and relate well with others.

I believe that the skills that make Brett an invaluable member of the Yellowstone County Attorney's Office would make him an excellent member of the bench and would be an asset to the citizens of Yellowstone County. I cannot recommend Brett enough for the position in which he has applied.

Best Regards,

Ingrid A. Rosenquist

## Slusser, Hannah

From: Gregory Paskell < gpaskell2@gmail.com>
Sent: Monday, November 1, 2021 11:27 AM

To: NominateJudges
Cc: Brett Linneweber

**Subject:** [EXTERNAL] Letter of support for Brett Linneweber

#### Dear Recommendation Committee:

Please consider this letter of support for the appointment of Brett Linneweber as Judge in the 13<sup>th</sup> Judicial District Court, Yellowstone County.

Up to about a year ago, I was a defense attorney with the State Office of Public Defender at the Billings, Montana office. I held this position for over 13 years, after closing my private practice in Kalispell, Montana after 30 years. During that time I defended against a number of felony cases prosecuted by Mr. Linneweber. As result of that experience, I wish to share my opinion as to Mr. Linneweber's qualifications for this judicial appointment.

Often prosecutors are criticized for having a narrow focus in their practice and even narrow point of view in their prosecution of a case. This is not the case for Mr. Linneweber. This applicant earned his experience in civil litigation during his time at the Park County, County Attorney's office. Having worked with various County Attorney Offices, I know that his exposure there was broad in the civil field representing the interests of the county in various civil areas. His resume describes his extensive support and experience outside criminal prosecution. No one can be expert in all fields of the law but it is obvious that Mr. Linneweber has extensive experience/exposure in areas of the law far beyond the criminal arena. Often those who practice in the civil arena emphasize one or two areas of interest. Having been in private practice for over 30 years, myself, I had exposure to a wide variety of areas of practice but I was truly focused only on 3 areas of the law. It is impossible to be an expert at every area. Having said that, one can be a student and have a strong desire to learn as needed. Mr. Linneweber is more than just a "as needed student of the law", as described below.

In todays cultural climate, the expectation is that a person in the public trust will show inclusion, diversity an equality in there treatment of the citizens that they interactive with. I can assure you that Mr. Linneweber prosecuted crime and not individuals. He showed no regard for a person's race, gender, economic stature or any other individual characteristic. If the acts of individual were in violation of a statute and called for prosecution, they were prosecuted. Did he make an effort to treat anyone or group differently when it came to a plea offer? NO! In my dealings with him plea offers etc., it was always about the facts, what the law called for, as to punishment and the fair treatment and out come for the victim, nothing else!

What emphasizes his ability to be a fair an impartial hear of the facts is closely related to my defense of various cases. Often, Mr. Linneweber and I sat down to discuss the resolution of various pending matters. If I wanted to know the strengths and weakness of my case from a different prospective, all I had to do was let Mr. Linneweber answer a question or two concerning a defense move that I was going to make. Mr. Linneweber would take the ball and run with it by explaining to me all of the moves that the defense needed to make or that he anticipated that the defense would make to defend the case. This show an uncanning ability not only see the broader defense picture but actually see all of the facts and legal issues from the defense prospective and put together a strong defense. It was obvious from our discussions that Mr. Linneweber is more than capable of and made a standard practice of an analysis of both sides to any dispute. There was more than one occasion that Mr. Linneweber, after his description of the Defense possible position where he would admit that a resolution of a lesser or more appropriate charge was the right thing to do. After listening to him, I believe this change of position was not only from a stragic position but from a personal conviction of doing what was right and just.

Further, not only would he layout strategy he would have an immediate and almost encilapidic knowledge and understanding of the various cases that affected any point of law in the case. Mr. Linneweber is a student of the law and has a clear point of view of where the law needs to be for the betterment of society and the judicial institution.

Mr. Linneweber is a good man! He is fair, honest and committed. He has always exhibited the skills, desire and determination to see that justice was done fairly and appropriately. Further, that individuals be held accountable but with a sense of the broader picture that allowed for a person not to be stripped of their dignity in the process.

It is with great ethusism that I recommend Mr Brett Linneweber for this appointment to the bench in the 13<sup>th</sup> Judicial District, Yellowstone County.

Sincerely

Gregory E. Paskell Attorney at Law Mt. Bar Number 1185 3815 Farm to Market Rd. Kalispell, Montana, 59901 406 250 6917 gpaskell2@gmail.com

Sent from Mail [go.microsoft.com] for Windows

Mary Leffers Barry 4304 Appaloosa Dr. Helena, MT 59602

October 29, 2021

Hannah Slusser Governor's Office P.O. Box 200801 Helena, MT 59620

RE: Support for Brett Linneweber

## Advisory Council:

I write this letter in support of Brett Linneweber's appointment for Judge to fill the vacancy Judge Gregory Todd will be leaving in the Thirteenth Judicial District. I have known Brett since he joined the Yellowstone County Attorney's Office many years ago. He joined the office as an experienced prosecutor and was wonderful to work with from the very beginning. He is easy to work with and has an even temperament. I cannot recall ever seeing him rattled even when the pressure was high, and it was high a lot.

Apart from his temperament, he is a wealth of knowledge and possesses an encyclopedic memory of case and statutory law. He is a master organizer of complex matters and provided many tools to fellow attorneys of how to better organize our own cases. Brett goes out of his way to assist others. Even after leaving the Yellowstone County Attorney's Office he has still been available as a fantastic resource, providing me suggestions on how to research or who to contact when working on various legal issues.

Brett has the knowledge, the temperament, and the ability to serve Yellowstone County as its next judge. I hope you will consider him as Judge Todd's successor.

Sincerely,

Mary Leffers Barry

Andrew M. Huppert, Esq. PO Box 2157 Billings, MT 59103

October 29, 2021

Governor's Office Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620 Sent via email to nominatejudges@mt.gov

Re: 13th Judicial District Court Judge Position/ Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Committee:

I am writing in support of the application of Brett Linneweber for Thirteenth Judicial District Court Judgeship, Yellowstone County. I have practiced in Yellowstone County over the past eight years and have had opportunity to work with Mr. Linneweber on several occasions. In each case, I found Mr. Linneweber to be professional, experienced, and courteous during our interactions. I firmly believe that Mr. Linneweber's temperament and professionalism both inside and out of the courtroom make him well qualified to serve as a judge in Yellowstone County.

Sincerely,

Andrew M. Huppert Attorney at Law Governor Greg Gianforte c/o Hannah Slusser Governor's Office PO Box 200801 Helena, MT 59620

Fax: (406) 444-4151

Email: <a href="mailto:nominatejudges@mt.gov">nominatejudges@mt.gov</a>

Re: Brett Linneweber Letter of Support

Governor Gianforte,

I am writing to express my support for the nomination of Brett Linneweber for the judicial vacancy in the Montana Thirteenth Judicial District Court. I am a Billings attorney and have been a member of the State Bar of Montana since 2011.

I had the privilege of working with Brett at the Yellowstone County Attorney's Office from 2014 to 2018. Brett quickly became an invaluable resource to the office. As the former Park County Attorney, Brett had a breadth of experience unique to any other prosecutor in our office. He had tried the whole gamut of cases and dealt with a litany of complex legal issues while serving as the Park County Attorney. It is this experience that makes him uniquely qualified to be a district court judge. In my time working with Brett, he never shied away from a challenge and I am confident he is up for the challenge of being judge. Indeed, while the learning curve may be steep for any new judge, Brett's experience and ability will allow him to step into the role as judge and immediately have a positive impact on the Thirteenth Judicial District Court and tackle the staggering caseload the judges in our district are currently facing.

With the rise in violent crime and other societal issues caused by the methamphetamine endemic in our community, the Thirteenth Judicial District Court and members of this community would be well served with the appointment of a seasoned prosecutor familiar with the very matters that make up the bulk of the current caseload handled in this District. He will also mete out justice with fairness and compassion. Brett would be an outstanding selection to serve as a District Court Judge as the next step in his career in public service.

Respectfully,

Julie R. Patten

To: Hannah Slusser

From: Katherine (Kitty) Lusse & Art Lusse

Re: Brett Linneweber Judicial Application

Good morning Ms. Slusser

We could not be more honored than to send this letter on behalf of Brett's application for a Judicial Appointment here in Yellowstone County. We have known Brett since the late 90's upon his enrolment in Law School. I was a professor of law teaching mediation, family mediation, negotiation and the director of the school's Mediation Clinic. Brett was a part of all of these classes/clinics and became proficient in mediation. (I say "we" because my wife Kitty, a professional mediator was integral to the teaching program and the clinic)

It is fair to say that over a two year period we had constant contact with Brett as we did with other students. One of the things that I most remember about that time was that Brett was also working part-time and a full time student but still made time to coach the Loyola Sacred Heart High School Speech & Debate team from 1997 - 2000. Quoting his application Brett nots "I coached high school students to a four year, aggregate 39-0 team record, including state championships each year. Beyond the necessary research and advocacy skills that I honed, I learned how to evaluate the same in others. School administrators eventually asked me to provide high school level basic legal instruction for students during free periods. I used the Street Law: A Course in Practical Law, a West Publications text. Topics included introduction to the legal system, juvenile justice and criminal law, consumer law, family law, housing law, and individual rights and liberties. The interactive class required immediately determining

the correct answers to students' varied legal inquires, something a judge must be able to do.

We continued to stay in contact with Brett over the years and followed his career and also worked with him on a few matters during his time as county attorney. He has demonstrated his community involvement in his daily pursuits.

I (Art) want to close this letter by focusing on what I, after 50 years of being a lawyer know to be the superordinate trait a judge must possess: being a neutral. What makes mediation so popular today is that individuals can work with a professional who is "neutral". Brett was a natural when it came to learning the role of the neutral and the litigants who would come before him could believe in Lady Justice, who proudly holds scales, which represent the weighing of evidence on its own merit, her blindfold represents our justice system being blind to a person's wealth, power, gender and race.

Should you desire to further discuss Brett we can be reached at this email or at 406-839-3323.

Kitty and Art Lusse, 2520 Orchard Dr. Billings, Mt.



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October 27, 2021

#### **SENT VIA EMAIL**

Office of the Governor Governor Gianforte Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620-3005 nominatejudges@mt.gov

RE: Letter of Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Committee:

I am writing this letter in support of Brett Linneweber as a candidate for the position of District Court Judge in the Montana Thirteenth Judicial District Court. I believe that Brett would fulfill the role as a district court judge with integrity and competence.

I am a practicing attorney in Billings, Montana. I have worked for the West Law Firm, P.C., since 2014. Our firm practices in multiple areas including family law, estate planning, real estate disputes, contract disputes, and criminal defense.

During my time as a defense attorney, I have had the pleasure of working with Brett regarding multiple clients charged with felonies. Although we have always been adversaries, Brett has encompassed and shown to me that he has a deep understanding of what makes our judicial system work. As a prosecutor, he always advocates for the State of Montana and balances that role with an understanding of the issues that the defendants in the Court face. In my experience working with Brett, I have found that he is reasonable, yet seeks justice for the State.

The Thirteenth Judicial District Court is the busiest court in Montana. Brett has been a part of this system for some time and has personal knowledge of what challenges the current eight district court judges face each day. In my experience with Brett, I find that his temperament is calm and collected and that his actions are calculated. Coupling his experience in the court along with his wealth of knowledge, I believe that Brett would be an asset to our community.

I find that Brett is a professional inside and outside of the courtroom. Brett's demeanor, intelligence, and experience are all qualities that are necessary for a district court judge. He would serve our community well and I fully support him as our next judge.

Sincerely, Tyler L. West

West Law Firm, P.C.

Julie Mees PO Box 516 Wilton, ND 58579

Governor's Office Attn: Hannah Slusser PO Box 200801 Helena, MT 59620 nominatejudges@mt.gov

Re: Thirteenth Judicial District Judge Position – Support for Brett Linneweber

Governor Gianforte and Commission Members:

I am writing to voice my unqualified support for Brett Linneweber to be appointed as the judge for the Thirteenth Judicial District Court's open seat. The people of Yellowstone County will be well served by a judge who works hard, who knows Montana law inside and out, and who has unparalleled experience in the courtroom.

I worked with Brett in the Yellowstone County Attorney's Office for more than seven years. The Yellowstone County Attorney's Office is probably the busiest County Attorney's Office in Montana, so Brett is used to a heavy workload. He and I prosecuted several cases together, and with each case I learned something new. Those cases involved some of the most complex legal issues either of us encountered. As much experience as Brett has, he was always open to suggestions. Brett acted as a soundboard for experienced prosecutors and as a mentor to newer attorneys.

Brett has the perfect demeanor to be a judge: He is always calm and respectful, even when opposing counsel is not. Brett consistently shows sound judgment and common sense. He can review a case objectively while maintaining empathy for victims and their families. Other lawyers respect him and know him to be intelligent and fair. He treats everyone with dignity and respect.

Brett is uniquely qualified to serve as District Court judge in the Thirteenth Judicial District. He will be outstanding addition to the bench, and the people of Yellowstone County will benefit from his experience, temperament, and vast legal skills. I cannot recommend him highly enough.

Sincerely,

Julie Mees

27 October 27, 2021

Attn: Hannah Slusser Governor's Office POB 200801 Helena MT 59620

Dear Ms. Slusser,

It is an honor to write this letter in support of Brett Linneweber as District Judge. I have known Brett for about 3 years now and can say without a doubt he is a very fair, attentive, and prepared man. When Brett came into my family's life it was during the hardest, most crushing experience we never thought we would ever have to endure. Knowing that "the state" was on our side wasn't a reassuring. WE assumed that would make us just another number and not a priority. We were wrong! Brett called me personally anytime anything came up good or bad and was so gentle and reassuring when delivering bad news. I never had any question as to what was going on or even what the outcome would be. He was always 100% prepared to address anything and everything no matter how long it might take. He took our case extremely seriously and is the reason that I now truly believe in "the system" as I know that with people like him involved - it works.

The case was in regards to my young daughter (13). It lasted several years. The way that he reassured her, spoke with her, and supported her as a human being was a huge part of her trauma recovery. As the case progressed the communication with us was admirable, sometimes just a phone call to say "still nothing just checking in, is everyone doing ok?"

I believe in my heart that this was a Prosecutor going above and beyond for a victim. If needed he would call on a weekend, and I believe once on a holiday or close to Thanksgiving as the case got pushed back several times. He was never complacent and had the same energy, heart, and drive the whole time. I, as a working class civilian, couldn't believe the care that he took of my family knowing that we weren't paying him. He worked harder than the defense team and knew all of the laws and loopholes in and out for both sides. I'm not completely sure what else I can say other than; if you are looking for an individual with absolute honor, a tireless work ethic, and a devotion to doing the right thing for those that need it most – then he is absolutely qualified.

My daughter would just tell you that he is her hero.

Very Sincerely,

Stephanie Rexford

stephanie@rubiconcarenetwork.com

(406)927-2222

### Slusser, Hannah

From: Karl Knuchel <karl@knuchelpc.com>
Sent: Thursday, October 28, 2021 9:39 AM

To: NominateJudges

**Subject:** [EXTERNAL] Brett Linneweber

To the Nominating Committee: It is with great pleasure that I write to support Brett Linneweber's application to take a District Judge position in Yellowstone County. I have know Brett for about 35 years. I knew his parents even longer. Brett came back to Livingston after Law School and began working in the County Attorney's office as a Deputy County Attorney. It became evident almost immediately that Brett was a prosecutor that would work with defense attorney's at seeking justice which meant resolving cases fairly. He was not just seeking convictions to bolster his record. Brett was always prepared, responded timely and always listened to a defendant's side of the story with an open mind. I support Brett's nomination without hesitation. I often represented clients before the Park County Commission and Brett would be on the other side of the aisle working for the commission. I can't remember a time when we were unable to reach an agreement even when it appeared that the parties were miles apart in their respective positions. Brett always advocated zealously but was also open to reasonable solutions. Brett has the demeanor and disposition to be a District Judge. This is a position that invokes patience, firmness and wisdom. I believe Brett has all of these qualities. I am available to answer any questions you may have regarding the information I have provided. Again thank you for the opportunity to Support Brett Linneweber for District Judge.

#### **Karl Knuchel**

Attorney

Karl@knuchelpc.com

Phone: (406)222-0135 Fax: (406)-222-8517

101 North E Street, P.O. Box 953

Livingston, MT 59047

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### Clark Mathews

(740)225-5330 clarkmathews@gmail.com 53 Waverly St. Pittsfield, MA

October 25, 2021

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620 nominatejudges@mt.gov

RE: 13th Judicial District Judge Position, Support for Brett Linneweber

Dear Advisory Council,

I am writing to you in support of Brett Linneweber's application for the impending judicial opening in the thirteenth judicial district. I offer my opinion in support of his application as a former and frequent adversary of Mr. Linneweber. When Mr. Linneweber moved to Yellowstone County in 2014 to take a position as a prosecutor at the Yellowstone County Attorney's Office, I was already working as an attorney at the Public Defender's Office in Billings. Until I left the office and the State in the middle of 2019, we litigated scores of cases against one another. In brief, I found Mr. Linneweber to be professional, competent, and possessing qualities that could make him a good judge.

As both of our caseloads during that time consisted significantly of serious and complex felonies, including homicides, those are primarily the cases that stand out to me. Based on my experience trying cases to a jury against him, including a homicide and another serious assault, it is my opinion Mr. Linneweber has the requisite knowledge of the rules of evidence to be an effective trial judge. The homicide trial in particular involved cell phone records which not only involved unfamiliar jargon but required a tedious presentation to satisfy the rules of evidence. In the serious assault trial, the case involved complex medical testimony regarding head injuries to children, requiring Mr. Linneweber to demonstrate an ability to understand expert evidence, also important for a trial judge to possess.

Litigation, especially in the courtroom can be emotionally fraught and proceedings in a trial courtroom benefit from a steady and calm presence at the bench. Mr. Linneweber and I had many disagreements over the years but always in a professional manner. Many of the cases we had were emotionally charged and I believe he typically demonstrated a calm demeanor. I believe he generally possesses the temperament that could serve him well if appointed to the bench.

I also found him to be receptive to hearing my opinion of the case and willing to discuss how we might be able to resolve the case short of trial. I remember another homicide case, one involving a particularly vulnerable victim we had where we sat in his office and he listened as I explained the case from my client's perspective. I can report that Mr. Linneweber's willingness to listen in such a circumstance was uncommon. The willingness to listen to everyone involved in a proceeding and to avoid the temptation of rash decisions are necessary for a judge to come to a just decision.

Finally, Mr. Linneweber prosecuted multiples cases where my clients had serious mental health issues. I found Mr. Linneweber to be knowledgeable, more so than most prosecutors, about the specific Montana statutes regarding the interplay of mental health and criminal law. Because of this, we were able to work together to ensure my client, the criminal defendant, was placed in the appropriate facility and to receive the necessary treatment for justice to be done. But also beyond the legal knowledge, it required Mr. Linneweber to be understanding and appreciate the serious mental health issues that afflict those that encounter the legal system, another important quality for a trial judge.

Thanks for your time,

Clark Mathews

Office of the Governor Governor Gianforte ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620

RE: Letter of Support for Brett D. Linneweber, 13th Judicial District Court Judgeship

## Advisory Council Members:

As I sit and type out this letter, I find it difficult to condense all of Brett's good qualities into a short letter. It is with great enthusiasm, and pride for my colleague, that I recommend him for appointment of Judge Todd's soon-to-be vacant seat in the 13th Judicial District Court.

I have worked for the Yellowstone County Attorney's Office for four years. Due to the nature of the work, this office faces a lot of turnover. This type of attrition makes it difficult for new prosecutors to build lasting relationships with the career prosecutors within the office. Fortunately, I have been able to benefit from Brett's mentorship these last four years.

Brett is one of the most intelligent attorneys I have ever met. In truth, he is probably one of the most intelligent humans I have ever met. Brett is a gifted prosecutor with a longstanding career of prosecuting complex felonies, with a special interest in child sex abuse cases. I believe the numbers in our office would show that Brett is our best trial attorney. Brett tries the hard ones. Brett draws a line in the sand and is not reluctant to go to trial in furtherance of justice. Brett is the first person I track down in the office to ask about an obscure case that I know is right on point for a specific issue, but cannot remember the name or citation. Brett is a walking Westlaw or Lexis Nexis. He is the attorney I turn to when I need help with a brief, specific legal issue, trial support, ethical question, difficult-opposing counsel question, etc. Because I have been fortunate enough to be Brett's co-counsel on numerous cases, my skills as a prosecutor have flourished enormously.

Yet, Brett is more than his intellect. Brett is a phenomenally supportive colleague, who always takes the extra time to check in on those he works with—whether attorney or support staff. The list of matters in which Brett has helped me walk through in my new career is endless. Brett has been a personal and professional rock to lean on while I learn to navigate my career as a prosecutor. Brett is the colleague who will pull you aside and shut the office door to see how you are doing; he the colleague that will cover your hearings with little-to-no notice while you handle a personal matter; he is the colleague who will jump in and help before you even know you needed help.

This is all important for me to mention because I believe those qualities are paramount for a judge to exhibit. A judge must have the trust of the community they serve. Certainly, they must impartially apply the law, but they must also navigate high-conflict matters, ensure safety of those inside and outside of their courtroom, and have the intellectual ability to traverse the often

challenging waters a member of the judiciary faces. Brett is a highly-organized individual who can manage an immense caseload with efficiency and integrity. Brett has a multitude of professional and personal experiences that have adequately prepared him to step into the upcoming vacancy in Department 4. I have no reservations about supporting Brett in this endeavor. I believe that he would be an invaluable asset to this judicial district.

I have been lucky enough to have Brett's mentorship since 2017, when I was just a misdemeanor attorney in the Justice Court. I believe that the people of Yellowstone County deserve a turn now.

With gratitude,

/s/ Sarah L. Hyde Senior Deputy Yellowstone County Attorney October 12, 2021

Mariah Cerkoney Legal Assistant Yellowstone County Attorney's Office 217 2<sup>nd</sup> Ave N. Billings, MT 59101 Room 701

Governor Greg Gianforte State of Montana P.O. Box 200801 Helena, MT 59620

RE: Nominating Judges – Brett Linneweber

Honorable Governor Gianforte:

My name is Mariah Cerkoney and I am writing this letter in support of the nomination of Brett Linneweber for the appointment to the Thirteenth Judicial Court in Yellowstone County.

I have had the pleasure of working with Mr. Linneweber since May of 2019 when I was hired as a Legal Assistant for the Yellowstone County Attorney's Office. Brett is one of my favorite and most trusted Attorney's to go to for help with any legal and/or procedural questions that I may have. He's very knowledgeable and always willing to help whenever needed. He's incredibly thorough and takes great pride in his work. It's truly remarkable to watch him work through cases and work with the victims and witnesses of atrocious crimes. He takes the time to get to know the individuals, along with comforting and supporting them throughout the long legal process.

Brett would, without a doubt, be a significant asset to Yellowstone County. He always has the Community's safety and best interest at hand. He is exceedingly respected in our office. He has great relationships with Defense Attorney's and resolves cases fairly, however, he's not afraid to make tough judgment calls and do what's right.

I'm honored to have had the opportunity to work next to him for the past two years. Not only is Brett a valued Prosecutor, he's an incredible teacher and mentor to his fellow colleagues. I can't think of a better suited individual to take on this opportunity and responsibility for our County.

Thank you for your time and consideration.

Respectfully,

Mariah Cerkoney

Ann-Marie McKittrick 665 Pointe Ave, D-202 Helena, Montana 59602

October 23, 2021

Governor's Office ATTN: Hannah Slusser P.O. Box 200801 Helena, MT 59620

> Re: Thirteenth Judicial District Judge Position Support for Brett Linneweber

Dear Governor Gianforte and Members of the Advisory Committee:

I am writing to voice my strongest support for the appointment of Brett Linneweber as District Court Judge for the Thirteenth Judicial District Court. I have known Brett for 15 or more years. I worked closely with him as a Senior Deputy County Attorney at the Yellowstone County Attorney's Office. Before that, I knew him when he was the Park County Attorney, and we would consult on various cases.

You are no doubt aware from his resume and from other letters voicing support for him that his legal background in both civil and criminal law is extensive. He has worked on some of the most complex cases a lawyer can face. He is not only well-versed in the law, but has superb legal judgment. But what a resume cannot tell you is the type of person he is behind the scenes. I had the privilege of working in the office directly next to his at the Yellowstone County Attorney's Office. We were also co-counsel in several cases. In that capacity, I had a front row view to who Brett was not only as a lawyer, but as a colleague, a friend, and a human being.

I cannot emphasize how well-respected Brett was in our office. Because of his vast knowledge of the law and his legal judgment, other attorneys in our office turned to Brett regularly for advice on how to proceed on various issues. When attorneys were in trial and unusual questions arose, attorneys would contact him on breaks for emergency advice or assistance on briefing matters. Brett was always available to answer questions and provide whatever help was necessary. And he would do so quickly because he had a great memory for case law and was able to quickly sift through the facts to determine the best application and course to take.

In our line of work as a prosecutor, people who have been victimized by crime are traumatized and the legal process can be a nightmare. Brett knew this. He always maintained an awareness that real, suffering people were involved in each case. People mattered to him. I remember prosecuting a homicide case and another sex crime case with him, and he was always mindful that there were hurting family members and

victims, and he would approach them and talk to them with the utmost care. People were not just a number or an abstract.

Additionally, Brett never forgot that the primary role of a prosecutor is not to get a conviction; it is to seek justice. He had to make numerous decisions on each case as to what justice required in each one. For example, he had to decide whether there was sufficient evidence to charge a case; what charges should be filed (because there are frequently various alternatives to how a case can be charged); whether a case should advance or whether some evidence would likely be suppressed; and what would be a fair sentence to advocate for with each particular person who is charged with a crime. Brett was always mindful of a suspect's rights and also knew that justice required different actions in different cases.

Finally, you should know that Brett is not only nice, but he can be quite funny. He handled a crushing workload with grace and always maintained an even temper in the most difficult of cases. He was honest, and I trust him completely. For all these reasons he was highly esteemed in our office.

Brett Linneweber has my highest support.

Very truly yours,

Ann-Marie McKittrick

Gregory Paul Johnson, P.C. Attorney at Law 3623 Snowline Drive Billings, Montana 59102

October 25, 2021

Office of the Governor Governor Gianforte Attn: Hannah Slusser P. O. Box 200801 Helena, MT 59620-3005

VIA EMAIL: <u>nominatejudges@mt.gov</u>

Re: Letter In Support Of Brett Linneweber for Montana District Court Judge Thirteenth Judicial District

Dear Governor Gianforte and Members of the Advisory Committee:

In this wonderful and often troubled world, we increasingly rely on those select few among us who possess the necessary wisdom, temperament and moral compass to guide us and keep us safe. One of those extraordinary individuals is Brett Linneweber, candidate for Montana Thirteenth District Court Judge.

I have had the pleasure of knowing Brett Linneweber for the past 10 years as Park County Attorney and as Deputy Yellowstone County Attorney. Based upon my personal experience as a criminal defense trial attorney working with Brett during those years in numerous and often complex and challenging cases, I know he is imminently qualified to serve as Montana District Court Judge. Brett is a man of integrity and honor who exhibits scholarship, consideration and gentility in all of his dealings.

Our Judges must be seen to fairly and faithfully render judgment, especially in changing times. Please accept my unqualified endorsement of Brett Linneweber for appointment to the Montana Thirteenth Judicial District Court.

Very truly yours,

Gregory Paul Johnson

Clark R. Carpenter 6002 Hells Gulch Rd. St. Maries, ID 83861

Email: nominatejudges@mt.gov Governor's Office PO Box 200801 Helena, MT 69620

Re: 13th Judicial District Court Judge Application of Brett Daniel Linneweber

To Whom It May Concern:

I am writing in support of the application of Brett Daniel Linneweber for appointment as 13<sup>th</sup> District Court Judge for Yellowstone County.

As a former peace officer and county Sheriff of Park County, Livingston, Montana from 1998- 2006, I had the opportunity to work with Brett when he was Deputy County Attorney there. We worked together approximately 4 years. I found him to be honest and reliable. He was very much above board in all his dealings that I was involved in. He interpreted the law fairly and his knowledge of the law was extensive.

I highly recommend him for the position of District Judge for Yellowstone County.

Sincerely,

Clark R. Carpenter Retired Sheriff Park County, MT. Paul D. Vestal Senior Deputy Yellowstone County Attorney 217 N. 27<sup>th</sup> Street Billings, MT 59107 pvestal@yellowstonecountymt.gov

October 19, 2021

Governor Greg Gianforte Judicial Advisory Council ATTN: Hannah Slusser PO Box 200801 Helena, MT 59620

via email: nominatejudges@mt.gov

RE: Letter of Support for Brett Linneweber

Advisory Council,

I write in support of judicial candidate Brett Linneweber for the future vacancy open by the Honorable Judge Todd's retirement at the end of this year. Mr. Linneweber and I currently serve as deputy county attorneys here in Yellowstone County. Over the years, I've watched Mr. Linneweber in the courtroom and have sought out his advice many times on cases of my own. His help—freely given when needed—has always been invaluable.

Mr. Linneweber is intelligent, ethical, and treats everyone equally. His unflappable temperament, his willingness to listen and problem solve, and his lengthy experience in the courtroom as a public servant will make him a great district court judge. I strongly recommend and encourage Mr. Linneweber be appointed by the Honorable Governor Gianforte for district court judge.

Respectfully,

/s/ Paul D. Vestal Paul D. Vestal

## VICTORIA CALLENDER

1768 GLENEAGLES BLVD. BILLINGS, MT 59105 Phone (406) 544-8257 Email: bigski5@aol.com

The Honorable Gregory Richard Gianforte Governor of the State of Montana P.O. Box 2008101 Helena, MT 59620-3005

#### **Dear Governor Gianforte:**

I am a Senior Deputy County Attorney with the Yellowstone County Attorney's Office in Billings, Montana, and I am writing this letter to wholeheartedly support Brett Linneweber's application for the soon to be vacated 13<sup>th</sup> Judicial District Court bench of the Honorable Gregory R. Todd.

When I first pondered this letter, I thought it would be one of the easiest letters I would ever have to write, but then I started thinking about the magnitude of the decision you must make and the ramifications it will have on those of us who practice law in the 13<sup>th</sup> Judicial District, and I realized the idea of this letter being a "no-brainer" couldn't be further from the truth.

I have worked with Brett as a colleague in the Yellowstone County Attorney's office since he arrived here in February of 2014, from his former position as the Park County Attorney. I cannot tell you how wonderful Brett's arrival was because he immediately filled a hole in the office; Brett was in a felony jury trial within two weeks of his arrival if memory serves. Being able to step into that job so quickly and so completely was a godsend to the rest of us and almost unheard of.

I use Brett as a legal advisor on a non-stop basis. He is a walking encyclopedia of Montana case law, and he has dealt with almost every issue that comes up in the world of criminal law. I guess more importantly is Brett's experience with Dependent Neglect cases and civil issues that run up against the criminal law. Brett sits on a committee here in Yellowstone County where the main goal is identifying and dealing with inmates at county jail who have medical and mental issues that need relatively immediate action.

The 13th Judicial District needs a judge who can step in and, from day one, take the reins that Judge Todd has held for so many years. Brett Linneweber is that individual, as he has extensive criminal experience, and he is well-rounded in all other arenas a District Court Judge must deal with.

Brett is an extremely hard worker and willing to put in long hours. Brett is diligent and gets his work done in a timely fashion. I envision Brett living the motto of "Justice delayed in justice denied." Brett is fair and I know of no instance where he ever showed a bias against or for someone, except maybe in sports. Brett has the temperament to sit on a District Court bench; he does not talk down to people nor does he act as though a court proceeding is a cocktail party not to be taken seriously.

There is no doubt in my mind that Brett Linneweber has the ability, intelligence, and work ethic to ensure justice to all citizens who may find themselves in front of the 13th Judicial District Court.

Sincerely,

/s/V.Callender
Senior Deputy Yellowstone County Attorney

## Tara DePuy, Attorney at Law, PLLC

PO Box 222 Livingston, MT 59047

(406) 223-1803

attorney@riverworks.net

(406) 222-7865 (fax)



October 20, 2021

Governor's Office Attn: Hannah Slusser POB 200801 Helena, MT 59620

E-mail transmission to: nominatejudges@mt.gov

Dear Ms. Slusser:

Re: Letter of Support for Brett Linneweber; Thirteen Judicial District Court

I am writing this letter of support for Brett Linneweber, an outstanding candidate for the position of District Court Judge in the Thirteenth Judicial District Court. I have known Brett both personally and professionally as we were both raised in Livingston, Montana and I employed Brett as a Deputy Park County Attorney.

In July of 2005 I resigned my position as Park County Attorney that I had held for ten years and I was confident that Brett could step into the role of Park County Attorney and handle both the heavy criminal and civil case load of that office. Brett was successful in that transition and remained in that office for almost a decade.

Brett is a steady person; he has always had the persona associated with someone who is a judge. He is kind, considerate and thoughtful in both his personal and professional lives. Most of all, Brett is compassionate in dealing with persons from all walks of life which is a stellar trait for a District Court Judge.

Brett is also very conscientious about how his decisions regarding the law impact not only the parties to a case, but how his decisions may impact similar parties in similar situations. I have spent a considerable amount of time in Court before numerous different District Court Judges during my career. I appreciate and respect a Judge who is conscientious in evaluating the facts of a case and the applicable law; Brett will be exactly that type of Judge.

Thank you for your consideration of my comments.

Sincerely.

Tara Defuy
Tara DePuy

Paul Chaon, Esq. PO Box 2157 Billings, MT 59103

October 18, 2021

Governor's Office Attn: Hannah Slusser P.O. Box 200801 Helena, MT 59620 Sent via email to nominatejudges@mt.gov

Re: 13th Judicial District Court Judge Position/ Support for Brett Linneweber

### Dear Advisory Counsel:

I am writing to express my support for Brett Linneweber for appointment to the upcoming vacancy in the Thirteenth Judicial District Court, Yellowstone County. I have had the unique opportunity to get to know Brett first as a colleague, and then as an adversary. During my time as a prosecutor at the Yellowstone County Attorney's Office, I frequently sought Brett's advice on cases due to his experience and extensive knowledge of case law. With respect to the latter, that knowledge will serve him well on the bench, as judges frequently have to make calls on the spot without the time to conduct legal research. Brett's breadth of experience in the civil and criminal fields of law make him well qualified to serve as a judge in Yellowstone County.

After I began my employment in private practice, I frequently represented individuals charged with various crimes for which Brett was the assigned prosecutor. Though we may have disagreed from time to time on the appropriate outcome in a case, Brett was always courteous and professional to me. Never once did I question his integrity with respect to how he was prosecuting a particular case. Inside the courtroom Brett vigorously advocated for his client, the State of Montana; outside of the courtroom, he maintained a friendly temperament with opposing counsel. This level of professionalism would serve the public well and instill confidence in the judiciary, which is absolutely critical at this time.

Sincerely,

Paul Chaon Attorney at Law October 19, 2021

Governor's Office Attn: Hannah Slusser PO Box 200801 Helena, MT 59620 nominatejudges@mt.gov

Re: Thirteenth Judicial District Judge Appointment

### Advisory Council;

I was pleased to learn that Brett Linneweber has applied for the Thirteenth Judicial Court judgeship. Although I had previously been acquainted with Brett for some time, I began working with him when he was appointed Deputy Park County Attorney while I was serving as Livingston Chief of Police. I continued working closely with him after he was elected Park County Attorney until my retirement in 2014. He was well respected within the entire legal community and I was proud to work along side him for many years.

Brett was driven to maintain the highest level of professionalism, not only within his own office but the entire legal system. He was always available when needed. He offered competent legal advice, and enthusiastically provide training and legal updates to local agencies. He maintained an even temperament and instilled confidence. He strictly followed the rule of law and demanded that others do the same. I can attest to Brett's credibility, honesty, competence and work ethic. Most importantly, he had a sincere desire to do the right thing and uphold the public trust.

I also know Brett on a personal level. He possesses the highest level of integrity and his personal life is unsullied. He was involved in community interests and dedicated to helping those in need.

Without hesitation, I offer my full support to Brett Linneweber and urge the governor's office to appoint him as Judge of the Thirteenth Judicial District. He is exactly the type of person we need in terms of personal and professional attributes. The citizens of Yellowstone County and Montana would truly benefit, and I am confident that Brett is worthy of serving in this honorable position.

Sincerely yours,

Darren Raney

Retired Livingston Chief of Police

14 West Point Drive

Livingston MT 590947

#### FROM THE DESK OF:

Margaret R. Gallagher Senior Deputy Yellowstone County Attorney Yellowstone County Attorney's Office Yellowstone County Courthouse 217 North 27<sup>th</sup> Street, Rm 701 Billings, Montana 59107 (406) 256-2870

October 15, 2021

### Via email: nominatejudges@mt.gov

Governor Greg Gianforte Governor's Office P.O. Box 200801 Helena, MT 59620

Re: <u>Letter of Support for Brett Danial Linneweber</u>

#### Dear Governor Gianforte:

I am writing to express my support for judicial candidate Brett Daniel Linneweber for the upcoming judicial vacancy in the Thirteenth Judicial District Court. I have been a colleague of Brett's since 2014 at the Yellowstone County Attorney's Office. I have observed Brett's integrity, temperament, intellect, and work ethic over these years and believe he has the qualities needed for the job of district court judge. As his Application shows, he has demonstrated his avarice and passion for helping others throughout his legal career. Most importantly, he also has demonstrated a dedication to and respect for the rule of law in any matter.

As his colleague, I also have observed Brett's strong, independent, and consistent work ethic for quality work and efficiency every minute of the working day. He is disciplined and ready to go when required. He often takes on complex cases which he seems to relish for the legal issues presented therein. He always has accepted assignments with enthusiasm and carried them out with purpose. Importantly, Brett always has been an enthusiastic student of the law—a quality greatly needed by a busy district court judge.

Many times, when others in the office fumbled about where to start to tackle a matter, Brett usually could point any of us in the right direction within seconds. This is in no small part due to his valuable experience as the Park County Attorney. As county attorney, Brett had to know the answer to the many rapid-fire civil and criminal issues presented. As he often quips, if he didn't already know the answer, he had to learn it quick! This exercised reflex has made him a

quick study, which is also a very valuable skill needed for a district court judge—especially in a very busy judicial district.

Finally, Brett has a calm and jovial personality which makes him approachable and likeable by his colleagues, defense attorneys, and his case victims and witnesses, including children. I have observed his empathy and compassion for those he has fought for, all while maintaining a level head. These are great qualities for a district court judge.

For the foregoing reasons, please consider Brett an excellent choice for district court judge.

Sincerely,

/s/ Margaret R. Gallagher
Senior Deputy Yellowstone County Attorney

John M. Ryan Senior Deputy Yellowstone County Attorney 217 N. 27th St., PO Box 35025 Billings, MT 59107 406-869-8009 jryan@yellowstonecountymt.gov

October 15, 2021

The Honorable Greg Gianforte Governor of the State of Montana State Capitol, Room 204 PO Box 200801 Helena, MT 59620-0801

Dear Governor Gianforte,

I write in support of Mr. Brett Linneweber's candidacy for District Court Judgeship for the 13th Judicial District Court, Department Four, in Yellowstone County. I struggle to think of an attorney better suited than Mr. Linneweber to take the helm for the departing Judge Gregory Todd. I have had the pleasure of watching Mr. Linneweber practice for several years—first during my time as a law clerk for Judge Don Harris, also of the 13th Judicial District, and then in my time as a prosecutor with the Yellowstone County Attorney's Office.

Mr. Linneweber has an encyclopedic knowledge of the law, a penchant for public service, and an impeccable reputation for integrity and work ethic. I believe these to be among the most important qualities a judge should possess. Especially in a district as busy as Yellowstone County, a judge must know the law and the evidentiary and procedural rules. Mr. Linneweber is a resource on these points, especially for newer attorneys like me who often seek his advice in preparation for important hearings. It is in this role that I have especially seen Mr. Linneweber shine. Mr. Linneweber proactively encourages newer attorneys to ask for help on difficult questions, and when we come to him with an issue, he receives it with grace and patience and walks through the problem.

Because of these qualities, Mr. Linneweber is a leader among our deputy county attorneys here in Billings. There is seldom an issue we can bring to him for counsel that he is not well-versed on. Additionally, I submit that Mr. Linneweber's previous experience as the Park County Attorney granted him a rare exposure to both criminal and civil litigation. Rare is the attorney who can handle complex and challenging cases in both arenas; however, a judge is entrusted to do both, and Mr. Linneweber's experience is an asset in this regard. Our community would be lucky to have him as a judge. Thank you for your consideration of this letter and Mr. Linneweber's candidacy.

Sincerely,

John M. Ryan, esq. Senior Deputy Yellowstone County Attorney's Office

#### Governor Gianforte –

I write you today to offer my enthusiastic and unqualified support for Brett Linneweber to replace the Honorable Gregory Todd in Department Four of the Thirteenth Judicial District. Rather than offering the standard platitudes and generic commentary that often define the judicial appointment process, I will instead highlight just a small portion of my practical experiences working with Brett, both as my mentor, and later as a peer.

Just a year into my career as a prosecutor, I first met Brett when he joined the Yellowstone County Attorney's Office in 2014. Brett's vast experience, superior intellect, and professionalism soon made him an invaluable asset to the office generally and to my skills as an attorney specifically. Unlike law school, where legal theories and hypotheticals are often taught by attorneys with no courtroom experience, learning from someone who has dealt with virtually any conceivable legal issue or fact pattern proved to be one of the formative moments of my career.

Prosecutors are tasked with the hackneyed phrase "pursuing justice," but not all understand what it means, particularly in cases of domestic violence. In the midst of brutal, consecutive acquittals in domestic violence jury trials, I questioned my own ability to convert this principle into practice. Brett took me under his wing, and in just one jury trial under Brett's tutelage, I learned more about the pursuit of justice than I could have learned in ten trials on my own. Justice is not the same for every victim, nor is it the same for every criminal defendant. Learning these nuances is a skill gained only through experience and attention to the process, something I will forever attribute to Brett's mentoring.

Now, as a domestic violence prosecutor, I still look to Brett for guidance and perspective, and I continue to be impressed by his remarkable attention to detail. These skills were evident when Brett secured one of Montana's first convictions for Strangulation of a Partner or Family Member, an important milestone that preserved prosecutors' ability to hold our most lethal abusers accountable. Whenever Brett is tasked with prosecuting our most dangerous and repeat offenders, I am confident that Brett's attention to process will produce the right result, regardless of whether he obtains a conviction.

In my experience, the best judges in our state are those who abandon their roles as advocates, detach from their privately held political and religious beliefs, but maintain compassion for their fellow human beings. As a career prosecutor, my friends and colleagues who later ascended to the bench now discharge their constitutional obligations without motivation or prejudice. They are neither friend to prosecutors nor foe to criminal defendants. This is the work of our District Court judges, a job that is admirable, understated, and absolutely essential to a functional democracy. Brett is a living example of these qualities, and I urge you to appoint him to the bench.

Sincerely,

/s/ Benjamin J. Halverson

October 14, 2022

To whom it may concern,

I have known Brett Linneweber for close to three years. Based upon my personal observations of his tireless effort to pursue justice in each case he's involved with I feel compelled to mention why I personally believe he is the best person to select to fill the vacancy being created by the upcoming retirement of the Honorable Gregory Todd.

I was fortunate enough to have worked with Brett in the Yellowstone County Attorney's Office where he faithfully serves as a Senior Deputy County Attorney handling a large volume of upper level felony criminal offenses. After meeting Brett I quickly learned he has a tremendous work ethic and is always available to assist or answer a question no matter what else he might have on his plate. I found him to be always eager to help myself and others to make the right decision based on all of the facts and the law.

Brett is a dedicated and tireless public servant who works countless hours from case inception to developing case strategy to case completion. His knowledge of the law and acumen with both state and federal level constitutional principles is remarkable.

While working with Brett behind the scenes, I was able to witness firsthand his passion for the rights of victims, as well as his ability to keep a contemplative, open mind while judiciously weighing all facts and the law from a disciplined and objective point of view. His concern that the rights of the accused be respected provides an appropriate balance to his perspective. Simply stated, his ardor for justice never fails to be the goal in every single case that comes across his desk.

Brett has the temperament, experience, and the open mind requisite to serve as a Judge. I firmly believe Brett Linneweber is the most enlightened choice and perfect fit for District Court Judge.

Sincerely,

/s/ Todd Corne, Attorney

Former member of the Yellowstone County Attorney's Office