

**1 Mineral County Attorney's Office**

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7 **MONTANA FOURTH JUDICIAL DISTRICT, MINERAL COUNTY**  
8 **STATE OF MONTANA**

9 **MINERAL COUNTY SHERIFF, RYAN** } **Dept. No. 5**  
10 **FUNKE,** }  
11 Plaintiff, }  
12 **vs.** }  
13 **MINERAL COUNTY** } **Cause No. DV-31-2023-37-DK**  
14 **COMMISSIONERS,** }  
15 Defendants. }  
16 **RESPONSE TO RULE 60(b)**  
17 **MOTION FOR RELIEF FROM**  
18 **DECEMBER 10, 2025, ORDER**  
19 **AND REQUEST FOR HEARING**

20 **COMES NOW**, the State of Montana, by and through its counsel, Debra A.  
21 Jackson, Mineral County Attorney, responds to Defendant's *Rule 60(b) Motion for*  
22 *Relief from December 10, 2025, Order and Request for Hearing (Motion for Relief)*,  
23 as follows:

24 The basis for the *Motion for Relief* is that the *Brady* disclosure is  
25 demonstrably false, and the 2017 Administrative Investigation is factually  
26 inaccurate. The defense based this assertion on the alleged facts that the  
27 underlying records from the 2015 Tonasket investigation were not submitted to this  
28 Court for its analysis. The defense in the *Motion for Relief* presented four exhibits  
deemed relevant and were allegedly not provided to the Court. The Exhibits are  
listed below. This allegation is untrue.

The State had provided a Summary to the Court that numbered each report,  
video, or evidence received through the multiple subpoenas. The State's  
Summary included these four items, and the Summary number is listed below.

1 The Court had all four of these exhibits to read, analyze, and consider prior to its  
2 Order of December 10, 2025.

<b>3 Defense Exhibits in Motion for Relief</b>	<b>State's Summary #</b>
4 1. 01E40DB620151121235845001i100	<b>State's #101</b>
5 2. 215CR0033712 Funke Report	<b>State's #107</b>
6 3. 15120901 (After conversion)	<b>State's #108</b>
7 4. 15120902 (After conversion)	<b>State's #198</b>

8 Therefore, the Court received from the State all four of these relevant  
9 documents and each document was on the Summary and available for the Court's  
10 consideration prior to the Order dated December 10, 2025.

11 **CONCLUSION**

12 Based on the foregoing, the State respectfully requests that the Order of  
13 December 10, 2025, remain and the Evidentiary Hearing be vacated as this  
14 appears all issues of fact regarding this *Motion for Relief* have been resolved.

15 DATED this 13<sup>th</sup> day of February 2026.

16 Respectfully submitted

17 MINERAL COUNTY ATTORNEY'S OFFICE

18 */s/ Debra A. Jackson*

19 20 Debra A. Jackson, Mineral County Attorney

## **CERTIFICATE OF SERVICE**

I, Debra Ann Jackson, hereby certify that I have served true and accurate copies of the foregoing Answer/Brief - Response Brief to the following on 02-13-2026:

Frederick Peter Landsiedel (Attorney)  
PO Box 18071  
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Representing: Mineral County Sheriff, Ryan Funke  
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Paul M. Leisher (Attorney)  
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Colleen M. Dowdall (Attorney)  
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Representing: Mineral County Commissioners  
Service Method: eService

Electronically Signed By: Debra Ann Jackson  
Dated: 02-13-2026