

Mineral County Attorney's Office

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Attorney for the State of Montana

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

MINERAL COUNTY SHERIFF, RYAN FUNKE,	}	Dept. No. 5
Plaintiff,		Cause No. DV-31-2023-37-DK
vs.	}	RESPONSE TO RULE 60(b)
MINERAL COUNTY COMMISSIONERS,		MOTION FOR RELIEF FROM DECEMBER 10, 2025, ORDER AND REQUEST FOR HEARING
Defendants.	}	

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

The basis for the *Motion for Relief* is that the *Brady* disclosure is demonstrably false, and the 2017 Administrative Investigation is factually inaccurate. The defense based this assertion on the alleged facts that the underlying records from the 2015 Tonasket investigation were not submitted to this 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.

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

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 13th day of February 2026.

16 Respectfully submitted

17 MINERAL COUNTY ATTORNEY'S OFFICE

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19 /s/ Debra A. Jackson

20 Debra A. Jackson, Mineral County Attorney
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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
Missoula MT 59808
Representing: Mineral County Sheriff, Ryan Funke
Service Method: eService

Paul M. Leisher (Attorney)
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Colleen M. Dowdall (Attorney)
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Representing: Mineral County Commissioners
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Electronically Signed By: Debra Ann Jackson
Dated: 02-13-2026