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12 MONTANA SEVENTH JUDICIAL DISTRICT COURT, PRAIRIE COUNTY

13 RENEE PIRTZ,

14 Plaintiff,

15 v.

16 SHARI ROBERTSON, Clerk and Recorder of  
17 Prairie County in her official capacity; DANIEL  
18 RICE; PRAIRIE COUNTY,

19 Defendants.

20 Case No.

21 **COMPLAINT**

22 COMES NOW Plaintiff, Renee Pirtz (“Pirtz”), and for her complaint against Defendants  
23 states as follows:

24 **INTRODUCTION**

25 This case challenges the residency of a candidate for Prairie County Attorney, Daniel Rice  
26 (“Rice”), and therefore seeks a writ of prohibition, declaratory judgment, and injunction against  
27 Defendant Shari Robertson, Clerk and Recorder of Prairie County (“Election Administrator”) in  
her official capacity to prevent her from putting Rice’s name on the primary or general election  
ballot.

Rice does not live in Prairie County. Instead:

- Rice lives in Miles City, Custer County, Montana;



1                    **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

2                    8.        Rice is not a resident of Prairie County.

3                    9.        Rice lives in Miles City, Custer County, Montana;

4                    10.      A vehicle shown on a Google Earth image of this Miles City home is registered to  
5 him.

6                    11.      Rice’s law office is in Miles City.

7                    12.      Rice owns a house in Terry, Prairie County, Montana.

8                    13.      Rice does not live in the Terry house or any other place in Prairie County.

9                    14.      A vehicle at the Terry house is owned by a Prairie County employee, Laney Smith.

10                  15.      Upon information and belief, Laney Smith leases the Terry house and lives there  
11 full time.

12                  16.      A county officer must be an elector (*i.e.*, eligible to vote) at the time of a vote. MCA  
13 7-4-2201(3).

14                  17.      A county attorney is a county officer.

15                  18.      To be eligible to vote in a county, a person must, among other qualifications, be a  
16 resident of that county for at least 30 days unless an exception applies. MCA 13-1-111(1)(c). No  
17 exception applies in this case.

18                  19.      Residency is defined in pertinent part in MCA 13-1-112(1) as, “where the  
19 individual’s habitation is fixed and to which, whenever the individual is absent, the individual has  
20 the intention of returning.”

21                  20.      A person may only have one residence for the purposes of voting. MCA 13-1-113.

22                  21.      Rice is currently the County Attorney of Prairie County.

23                  22.      On February 19, 2026, Rice declared his candidacy for County Attorney by  
24 registering his name with the County Clerk to be on the 2026 primary ballot.

25                  23.      Upon receipt of declarations of candidacy, the County Clerk has until March 16,  
26 2026 to certify those names to appear on the June 2, 2026 primary ballot.





