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Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
One First Street NE  
Washington, D.C. 20543

March 11<sup>th</sup>, 2026

RE: Notice of Intervening Authority and Material Development Under Rule 15.8  
Rehbein v. Paddock, No. 25-6822

Dear Mr. Harris:

Pursuant to Supreme Court Rule 15.8, I respectfully write this letter to notify the Court of intervening matters that were not available when the Petition for a Writ of Certiorari was filed. These developments directly impact the constitutional questions presented and demonstrate an ongoing deprivation of Fourteenth Amendment due process rights.

On March 2, 2026, this Court issued its decision in *Mirabelli v. Bonta*, reaffirming the fundamental constitutional right of parents to direct the upbringing of their children without being left out by state actors. This decision reinforces the protections of *Troxel v. Granville* and *Stanley v. Illinois*, emphasizing that parents cannot be excluded from Judgements governing their children's welfare.

On February 24, 2026, the state district court successor Judge issued an Order granting a Motion to Intervene to the biological father, Matthew Allen (See Appendix A). This intervening development confirms the constitutional defects raised in the Petition:

- The biological father's intervention and supporting affidavit confirm he was deprived of notice and joinder in the original proceedings that resulted in the primary judgment.
- The successor Judge in district court has granted intervention to a biological parent *after* the judgment has taken effect, yet will not consider vacating the underlying judgment that affects the intervenor. The court must support the affirmation by the Montana Supreme Court. This creates a procedural framework where a non-parent is granted parental interests while biological parents are forced into post-trial litigation to protect fundamental rights and finality reigns supreme.
- The judgment has resulted in the Office of Vital Statistics unable to issue birth certificates to the biological parents under MCA § 50-15-221. Consequently, the biological father cannot be placed on the birth record. Although I remain the parent with decision making

authority in this parenting plan, I remain unable to provide a birth certificate for school registration and other necessary instances that require identification. To receive the courts permission for the state to amend and release the birth certificate, the biological parents must litigate with Paddock who has been adamant that the presumption of paternity should be hers alone due to the marriage.

- Since the filing of this Petition, the district court's manner of application regarding MCA § 40-4-228 has resulted in significant instability. Biological parents are currently facing motions for contempt, attorney's fees, and the requirement to defend "expansive enforcement" requests made on Paddock's behalf following requests for relief for the parents. There is a reasonable expectation that this type of advocacy on Paddock's behalf will hinder the Parent's abilities to effectively address issues.

The district court's February 24, 2026, Order demonstrates that the injury in this case is an active, ongoing interference/deprivation of parental rights. The lower court is attempting to remedy a fatal jurisdictional defect—the absence of biological parents. In light of *Mirabelli v. Bonta*, this case further presents a clean vehicle for review.

For these reasons, I respectfully request that the Petition be granted, or in the alternative, that the Court Grant, Vacate, and Remand (GVR) the case for proceedings consistent with the Fourteenth Amendment and this Court's precedents.

Respectfully submitted,



Ciara L. Rehbein, Petitioner Pro Se

Appendix A: District Court Order (Feb. 24, 2026)

Certificate of Service

**MONTANA SECOND JUDICIAL DISTRICT COURT, SILVER BOW COUNTY**

CLARA LYNN REHBEIN, )  
 )  
 Petitioner, )  
 )  
 and )  
 )  
 JESSICA MICHELLE PADDOCK, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

Cause No. DR-47-2022-50

**ORDER**

On April 12, 2022, a Petition for Dissolution was filed by the Petitioner Ciara Rehbein (hereinafter "Rehbein"). An Answer and Counterpetition was filed by the Respondent, Jessica Paddock (hereinafter "Paddock") on May 17, 2022. A hearing was held in this matter on December 8, 2023, and on July 11 and 12, 2024. Findings of Fact, Conclusions of Law, and Decree of Dissolution were issued on December 12, 2024, with a Final Parenting Plan being entered on December 26, 2024. This matter was then appealed to the Montana Supreme Court on January 13, 2025. The undersigned assumed jurisdiction on January 24, 2025. The matter returned from the Court on October 21, 2025. Since this time Rehbein has filed a Motion to Vacate Void Judgment, Paddock has filed a Motion to Enforce and Motion for Contempt, and Birth Father Matthew Allen (hereinafter "Allen") has filed a Motion to Intervene. These matters are fully briefed. Rehbein and Allen are pro se, Paddock is represented by Amanda Hunter.

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Rehbein first moves to “vacate those portions of the Court’s Findings of Fact, Conclusions of Law, and Decree of Dissolution, including the Final Parenting Plan, that adjudicate parental rights and parenting authority in favor of Respondent, on the grounds that those portions of the judgment are void.” Rehbein asserts this judgment is void pursuant to Rule 60(b)(4) because the “court lacked subject-matter jurisdiction, personal jurisdiction, or acted in a manner inconsistent with fundamental due process.” Paddock responds in opposition noting the jurisdictional arguments raised by Rehbein were previously addressed, not only in District Court but “extensively to the Montana Supreme Court and her arguments were rejected.” Paddock further asserts “The Montana Supreme Court found that Jessica did in fact properly plead presumed parentage, third-party parenting, and child-parent relationship...the matters were all properly heard at trial, and there was no post-trial surprised reliance on anything. Ms. Rehbein may not continue to reargue this issue.” Paddock also notes pursuant to § 40-4-211 there was jurisdiction because children were involved and the Court didn’t simply accept this but determined through a review of the facts and the statutes it was appropriate to include Paddock in the parenting determination. In her Reply Rehbein reiterates her argument that subject-matter jurisdiction cannot be created simply by an assertion there was a marriage and there were also children. She additionally insists failure to join the birth fathers requires the judgment to be vacated as void.

On appeal the Montana Supreme Court restated and addressed the following issues. “Issue 1: Did the District Court err by amending the pleadings after trial to consider whether § 40-4-228, MCA, granted Paddock a parental interest? Issue 2: Did the District Court err by awarding Paddock a parental interest pursuant to § 40-4-228, MCA?” After a thorough analysis the Supreme Court affirmed the District Court and determined there was neither an abuse of

discretion to amend the pleadings nor was it in error to award Paddock a third-party parental interest<sup>1</sup>. Rehbein's argument now requests the Court to unwind the determination of the District Court and overturn the Montana Supreme Court's conclusions this proceeding was not conducted in error based off a jurisdictional argument. While jurisdiction is the groundwork of any case, determining jurisdiction did not apply would ultimately require this court to disagree with the first issue determined by the Supreme Court. The Supreme Court found the District Court did not err in amending the pleadings to consider § 40-4-228. The determination by the District Court which was affirmed by the Montana Supreme Court accepted the jurisdiction to determine this case. Rehbein's restatement of the issues in an attempt to void the judgment is not only in error, but dangerously close to vexatious litigation. It has been determined on two previous occasions, now a third, it was not improper to adjudicate parental rights in this case.

Turning next to Allen's Motion to Intervene. While the Court agrees with Paddock there are questions regarding the timing of this request for intervention, allowing him to participate in this matter will not require unwinding nor would the Court entertain vacating any previous findings based on his future appearance. Any involvement/parenting time awarded to Allen would occur only after further judicial intervention. It is undisputed he has a legal interest in this case moving forward, but Allen must be aware this Court does not take this or any parenting matter lightly and just as any case may result in benefits, the flip side of the coin dealing with consequences is always present.

Finally, Paddock has filed a Motion to Enforce and Motion for Contempt. The Court believes an in person hearing on this matter is appropriate.

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<sup>1</sup> See 2025 MT 201.

Accordingly, IT IS HEREBY ORDERED as follows:

- 1) Rehbein's Motion to Vacate Void Judgment is DENIED.
- 2) Allen's Motion to Intervene is GRANTED.
- 3) A hearing on Motion to Enforce and Motion for Contempt will be held on Monday June 22, 2026, at 10:00 a.m. in the Butte Silver Bow Courthouse.
- 4) The Clerk of Court shall please distribute a copy of this Order to the parties.

Electronically Signed By:  
Hon. Judge Luke Berger  
Tue, Feb 24 2026 10:26:34 AM