

SUPREME COURT OF NORTH DAKOTA

Wright v. Holmes

2025 ND 212 · No. No. 20250179 · Decided December 18, 2025

SUMMARY

The North Dakota Supreme Court affirmed a disorderly conduct restraining order against Terica Holmes. The court summarily affirmed under N.D.R.App.P. 35.1(a)(8) because Holmes's self-represented appellate brief failed to satisfy minimum requirements, including providing a statement of facts, a standard of review, and record citations.

CASE DETAILS

|                       |                                                                                                                                                          |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of North Dakota                                                                                                                            |
| WRITING FOR THE COURT | Per Curiam; Jon J. Jensen, C.J.; Daniel J. Crothers; Lisa Fair McEvers; Jerod E. Tufte; Douglas A. Bahr                                                  |
| JURISDICTION          | Supreme Court of North Dakota                                                                                                                            |
| DECIDED               | December 18, 2025                                                                                                                                        |
| DOCKET                | No. 20250179                                                                                                                                             |
| DISPOSITION           | affirmed                                                                                                                                                 |
| PROCEDURAL POSTURE    | Appeal from a disorderly conduct restraining order entered by the District Court of Stark County.                                                        |
| STANDARD OF REVIEW    | The court did not specify a conventional standard of review and instead summarily affirmed under N.D.R.App.P. 35.1(a)(8) based on briefing deficiencies. |
| PRECEDENTIAL VALUE    | Published North Dakota Supreme Court opinion                                                                                                             |
| PARTIES               | Terica Holmes v. Jessica Wright, Jessica Wright on behalf of G.W.                                                                                        |

TOPICS

- appellate procedure
- standard of review
- preservation of error
- constitutional law
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure
- constitutional law
- restraining orders

QUESTIONS PRESENTED

1. Whether the appeal should be summarily affirmed because Holmes's brief failed to comply with the minimum requirements for an appellate brief.
2. Whether Holmes's constitutional and hearsay challenges to the disorderly conduct restraining order warranted relief.

## HOLDINGS

1. An appeal may be summarily affirmed under N.D.R.App.P. 35.1(a)(8) when the appellant's brief does not meet the minimum requirements established by N.D.R.App.P. 28(b), including requirements concerning the statement of facts, standard of review, and record citations showing issue preservation.

## KEY QUOTATIONS

*“We summarily affirm under N.D.R.App.P. 35.1(a)(8) because Holmes’s brief does not meet the minimum requirements.”* (¶1)

## FACTUAL BACKGROUND

The case concerns a disorderly conduct restraining order against Terica Holmes. Holmes challenged the order as retaliatory and malicious and argued that it rested on untrue hearsay, but she did not provide a statement of facts, identify a standard of review, or cite the record to show preservation of the issues.

## PROCEDURAL HISTORY

The district court entered a disorderly conduct restraining order. Terica Holmes appealed, asserting constitutional violations and reliance on untrue hearsay; the North Dakota Supreme Court summarily affirmed because her appellate brief failed to satisfy minimum briefing requirements.

## DISPOSITION

affirmed

## OPINION

### PER CURIAM.

IN THE SUPREME COURT STATE OF NORTH DAKOTA 2025 ND 212 Jessica Wright, and Jessica Wright on behalf of G.W., Petitioners and Appellees v. Terica Holmes, Respondent and Appellant No. 20250179 Appeal from the District Court of Stark County, Southwest Judicial District, the Honorable Rhonda R. Ehliis, Judge. AFFIRMED. Per Curiam. Jared W. Gietzen, Dickinson, N.D., for petitioners and appellees; submitted on brief.

Terica Holmes, self-represented, Dickinson, N.D., respondent and appellant; submitted on brief. Wright v. Holmes No. 20250179 Per Curiam. [¶1] Terica Holmes appeals from a disorderly conduct restraining order. She argues the restraining order violates her constitutional rights because it is “retaliatory and malicious.” She also contends the restraining order rested on “untrue

hearsay.” Holmes’s brief does not contain a statement of facts, specify a standard of review, or provide citations to the record showing the issues preserved for review.

See N.D.R.App.P. 28(b) (setting forth minimum brief requirements). We summarily affirm under N.D.R.App.P. 35.1(a)(8) because Holmes’s brief does not meet the minimum requirements. [¶2]

Jon J. Jensen, C.J. Daniel J. Crothers Lisa Fair McEvers Jerod E. Tufte Douglas A. Bahr 1