This opinion is subject to petition for rehearing Filed 1/22/18 by Clerk of Supreme Court

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2018 ND 17

State of North Dakota, Plaintiff and Appellee

v.

Randy Holkesvig, Defendant and Appellant

Nos. 20170266 & 20170267

Appeal from the District Court of Grand Forks County, Northeast Central Judicial District, the Honorable Donald Hager, Judge.

DISMISSED.

Opinion of the Court by McEvers, Justice.

Haley L. Wamstad, Assistant State's Attorney, Grand Forks, N.D., for plaintiff and appellee; on brief.

Randy Holkesvig, Fargo, N.D., defendant and appellant; on brief,

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State v. Holkesvig

Nos. 20170266 & 20170267

McEvers, Justice.

[¶1] Randy Holkesvig appeals from an order denying him leave to file an application for postconviction relief. We dismiss the appeal.

I

[¶2] Because of Holkesvig's multiple and frivolous filings, this Court in *State v. Holkesvig*, 2015 ND 105, ¶ 11, 862 N.W.2d 531, ordered that Holkesvig could not file any motions or pleadings related to his 2008 criminal proceedings without first obtaining leave of court:

> Holkesvig can pursue his right to appeal to the North Dakota Supreme Court as provided by the North Dakota Rules of Appellate Procedure, but he may not file any further motions or pleadings in Case Nos. 18-08-K-417 and 18-08-K-714 at the district court level, except after seeking and receiving approval of the presiding judge of the Northeast Central Judicial District or his designee to file a proper application under N.D.C.C. § 29-32.1-04 where Holkesvig succinctly and concisely establishes an exception to the statute of limitation under N.D.C.C. § 29-32.1-01(3) and is not subject to summary disposition under N.D.C.C. § 29-32.1-09(2).

[¶3] In May 2017, Holkesvig filed a 511-page application for postconviction relief. The district court denied

his motion for leave to file the application because it failed to "succinctly and concisely" establish an exception to the statute of limitation in N.D.C.C. ch. 29-32.1. The court also stated "[t]he Defendant is advised that he has a right to appeal this Order to the North Dakota Supreme Court as provided by the North Dakota Rules of Appellate Procedure."

II

[¶4] An order denying a previously enjoined defendant leave of court to file papers is not an appealable order because it merely denies him the approval required to file and does not affect a substantial right. *See Everett v. State*, 2017 ND 111, ¶¶ 4-5, 893 N.W.2d 506; *Everett v. State*, 2017 ND 93, ¶¶ 10-13, 892 N.W.2d 898. Although the district court stated Holkesvig "has a right to appeal" to this Court, we interpret the court's statement as a recitation of language contained in the court's original injunctive order in *Holkesvig*, 2015 ND 105, ¶ 10, 862 N.W.2d 531. Orders enjoining future litigation are appealable. *See Matter of Amelia Hirsch Trust*, 2017 ND 291, ¶ 8, and cases collected therein. Holkesvig exercised his right to appeal from the injunctive order, and we affirmed the order as modified to comport with N.D.C.C. ch. 29-32.1. *See Holkesvig*, at ¶ 1. The right to appeal is purely statutory, *see, e.g.*, *State v. Brendel*, 2016 ND 230, ¶ 4, 887 N.W.2d 316, and cannot be conferred by an erroneous statement in a district court order.

III

[¶5] The appeal is dismissed.

[¶6] Lisa Fair McEvers, A.C.
William A. Neumann, S.J.
Carol Ronning Kapsner, S.J.
Daniel J. Crothers
Jerod E. Tufte

[¶7] The Honorable William A. Neumann, S.J., and the Honorable Carol Ronning Kapsner, S.J., sitting in place of VandeWalle, C.J., and Jensen, J., disqualified.

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

JUDGMENT

Supreme Court No. 20170266-20170267
Grand Forks County Case No. 08-K-00417, 08-K-00714

Appeals from the district court for Grand Forks County.

State of North Dakota, Plaintiff and Appellee
v.
Randy Holkesvig, Defendant and Appellant

[¶1] This appeal having been heard by the Court at the December 2017 Term before:

[¶2] Acting Chief Justice Lisa Fair McEvers, Justice Daniel J. Crothers, Justice Jerod E. Tufte, and Surrogate Judges William A. Neumann and Carol Ronning Kapsner, sitting in place of Justice Chief Justice Gerald W. VandeWalle, and Justice Jon J. Jensen;

[¶3] and the Court having considered the appeal, it is ORDERED AND ADJUDGED that the appeal is DISMISSED.

[¶4] This judgment, together with the opinion of the Court filed this date, constitutes the mandate of the Supreme Court on the date it is issued to the district court under N.D.R.App.P. 40.

Dated: January 22, 2018

[SEAL]

By the Court:

/s/ Lisa Fair McEvers
Acting Chief Justice

ATTEST:

/s/ Penny Miller
Clerk

Case Nos. 18-08-K-00417
18-08-K-00714

IN DISTRICT COURT, GRAND FORKS COUNTY, NORTH DAKOTA

State of North Dakota, Plaintiff, -vs- Randy Holkesvig, Defendant.	**ORDER DENYING FILING OF POST-CONVICTION RELIEF APPLICATION BY DEFENDANT** (Filed May 25, 2017)

[¶ 1] The above-entitled matter was heard before the undersigned Judge of the District Court on May 25, 2017 on Defendant's Motion for Leave to File Application for Post-Conviction Relief.

[¶ 2] In *State v. Holkesvig*, 2015 ND 105, the North Dakota Supreme Court modified the district court's order as follows:

> (1) Holkesvig can pursue his right to appeal to the North Dakota Supreme Court as provided by the North Dakota Rules of Appellate Procedure, but he may not file any further motions or pleadings in Case Nos. 18-08-K-417 and 18-08-K-714 at the district court level, except after seeking and receiving approval of the presiding judge of the Northeast Central Judicial District or his designee to file a proper application under N.D.C.C. § 29-32.1-04 where Holkesvig **succinctly and concisely establishes an exception to the**

> **statute of limitation under N.D.C.C. § 29-32.1-01(3)** and is not subject to summary disposition under N.D.C.C. § 29-32.1-09. (2) The State is relieved from any obligation to respond to any further motions or pleadings filed in District Court in these cases, unless the District Court reviews the motion or pleading, determines it has merit and, in writing, permits Holkesvig's filing and requests a response.

Holkesvig, 2015 ND 105, at ¶ 11. (Emphasis added.) *See also*, Administrative Rule 58(7), effective March 1, 2017 (allowing the Supreme Court to enter a pre-filing order prohibiting a vexatious litigant from filing any new litigation in the state courts as a self-represented party without first obtaining leave of a judge of the court where the litigation is proposed to be filed.)

[¶ 3] The Defendant was charged with Stalking in Case No. 18-08-K-00417 and with Violation of a Disorderly Conduct Restraining Order in Case No. 18-08-K-00714. The Court dismissed the Violation of a Disorderly Conduct Restraining Order charge, upon the State's motion for dismissal. The Defendant pleaded guilty to the stalking charge on June 5, 2008 pursuant to a plea agreement, and received a two-year deferred sentence. His unsupervised probation was terminated early on July 12, 2009. He complied with the probation conditions, the guilty plea was withdrawn and the case dismissed.

[¶ 4] The Defendant has filed a verbose, 511-page Application with exhibits, claiming he has newly

discovered evidence. He alleges, in part, the North Dakota Supreme Court members have conspired to deny him meaningful review of his two prior post-conviction appeals, and they ignored his "newly discovered evidence" at the time of the appeals. He further alleges the district court judges failed to stringently follow N.D.R.Crim.P., Rule 11 on his change of plea and disregarded alleged exculpatory "newly discovered evidence." He also claims the prosecutors and law enforcement withheld evidence. He concludes many of the people involved in the alleged "cover-up" retired or resigned soon thereafter to avoid disclosure or discovery.

[¶ 5] This Court finds the Defendant has failed to succinctly and concisely establish an exception to the statute of limitation imposed by N.D.C.C. § 29-32.1-01(3), in accordance with the North Dakota Supreme Court's order in *State v. Holkesvig*, 2015 ND 105, ¶ 11.

ORDER

[¶ 6] The Court denies the Defendant's Motion for Leave to File his Application for Post-Conviction Relief.

[¶ 8] The Defendant is advised that he has a right to appeal this Order to the North Dakota Supreme Court as provided by the North Dakota Rules of Appellate Procedure, but he shall not file any further motions or pleadings in Case Nos. 18-08-K-00417 and 18-08-K-00714 at the district court level, except after seeking and receiving approval of the presiding judge

of the Northeast Central Judicial District or his designee to file a proper application under N.D.C.C. § 29-32.1-04 where the Defendant succinctly and concisely establishes an exception to the statute of limitation under N.D.C.C. § 29-32.1-01(3) and is not subject to summary disposition under N.D.C.C. § 29-32.1-09. The State is relieved from any obligation to respond to any further motions or pleadings filed in District Court in these cases, unless the District Court reviews the motion or pleading, determines it has merit and, in writing, permits the Defendant's filing and requests a response.

Dated this 25th day of May 2017.

BY THE COURT:

/s/ D. Hager
Don Hager
Judge of the District Court
By Designation of the
Presiding Judge

Case Nos. 18-08-K-00417
18-08-K-00714

IN DISTRICT COURT, GRAND FORKS COUNTY, NORTH DAKOTA

State of North Dakota,
Plaintiff,
-vs-
Randy Holkesvig,
Defendant.

ORDER DENYING FILINGS

(Filed Jul. 6, 2017)

[¶ 1] The above-entitled matter came before the undersigned Judge of the District Court on July 6, 2017 on Defendant's unfiled Motion for Default Judgment and Motion for Contempt against Hager and the State, submitted to the Clerk's office on June 28, 2017.

[¶ 2] The documents were previously submitted to Presiding Judge Jon J. Jensen, who issued his Order Denying Contempt and Confirming Assignment of Judicial Officer on June 30, 2017. The matter was returned to the undersigned for review as the assigned judge.

[¶ 3] The Defendant's current Motion for Default Judgment alleges, in part, that he is entitled to a default judgment pursuant to Rule 55 of the North Dakota Rules of Civil Procedure because the State did not respond within 30 days to his Post-conviction Relief Application submitted on May 25, 2017.

This Court issued its Order in which it denied the Post-conviction Relief Application, and specifically finding the Defendant failed to succinctly and concisely establish an exception to the statute of limitation imposed by N.D.C.C. § 29-32.1-01(3), in accordance with the North Dakota Supreme Court's order in *State v. Holkesvig*, 2015 ND 105, ¶ 11 and Administrative Rule 58(7) regarding vexatious litigation. The Defendant continues to argue corruption at all levels of government and the judicial system, including the governor's office and the North Dakota Supreme Court, and demand this Court vacate the state supreme court orders.

The Defendant subsequently filed a Motion for Reconsideration on Oral Argument and/or Evidentiary Hearing, which the Court denied by its June 19, 2017 Order. The Defendant has not appealed either Order.

[¶ 4] The Defendant has failed to comply with the North Dakota Supreme Court mandates, and the Court orders the Clerk of Court deny the filings.

[¶ 5] The Defendant is advised that he has a right to appeal this Order to the North Dakota Supreme Court as provided by the North Dakota Rules of Appellate Procedure, but he shall not file any further motions or pleadings in Case Nos. 18-08-K-00417 and 18-08-K-00714 at the district court level, except after seeking and receiving approval of the presiding judge of the Northeast Central Judicial District or his designee to file a proper application under N.D.C.C. § 29-32.1-04 where the Defendant succinctly and concisely

establishes an exception to the statute of limitation under N.D.C.C. § 29-32.1-01(3) and is not subject to summary disposition under N.D.C.C. § 29-32.1-09. The State is relieved from any obligation to respond to any further motions or pleadings filed in District Court in these cases, unless the District Court reviews the motion or pleading, determines it has merit and, in writing, permits the Defendant's filing and requests a response.

Dated this 6th day of July 2017.

BY THE COURT:

/s/ Don Hager
Don Hager
Judge of the District Court
By Designation of the
Presiding Judge

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER ON PETITION FOR REHEARING

Supreme Court Nos. 20170266 & 20170267
Grand Forks Co. Nos. 08-K-00417 & 08-K-00714

State of North Dakota, Plaintiff and Appellee
v.
Randy Holkesvig, Defendant and Appellant

[¶1] This appeal having been submitted to the Court at the December 2017 Term and an opinion having been filed on January 22, 2018 by:

[¶2] Acting Chief Justice Lisa Fair McEvers, Justice Daniel J. Crothers, Justice Jerod E. Tufte, and Surrogate Judges William A. Neumann and Carol Ronning Kapsner, sitting in place of Chief Justice Gerald W. VandeWalle, and Justice Jon J. Jensen;

[¶3] and a petition for rehearing having been filed by Randy Holkesvig, Appellant, and the Court having considered the matter, it is hereby ORDERED AND ADJUDGED, that the petition be and is hereby **DENIED**.

[¶4] AND IT IS FURTHER ORDERED, that this cause be and it is hereby remanded to the District Court for further proceedings according to law, and the judgment of this Court.

Dated: March 7, 2018

[SEAL]

By the Court:

/s/ Lisa Fair McEvers

/s/ Daniel J. Crothers

/s/ Jerod E. Tufte

/s/ Carol Ronning Kapsner

/s/ William A. Neumann S.J.

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Index #127

Exhibit 1

From: Randy Holkesvig [mailto:rhdenbro@midco.net]
Sent: Tuesday, May 08, 2018 6:38 PM
To: rhdenbro@midco.net
Subject: FW: oaths

Mr. Gaustad,

I also need the email/memo that Welte sent to County personnel, aka the County Auditors Officials and the GF Sheriff's Staff/Secretaries, from December 2010 after I obtained new information that proves various State Officials, illegally withheld exculpatory evidence in 2008.

You Mr. Gaustad, were personally involved in not allowing me access to open records in 2 closed cases that contains additional evidence that the State illegally withheld from me in 2008. Tom Falck got involved to cover up and help Welte and yourself block and deny my access to that information in closed cases in the Moore and Eastling cases.

Meredith Larson sent an email and made a phone call to Shannon Uglem who was representing Chris Moore, in October/November 2010. I want those 2 responses that Larson made to Uglem after she found out that I obtained Moore's January 2008 Qwest phone records. Larson was very upset about it that I obtained these records, she was irate and she sent an email to Uglem and then she called him. Uglem told me this was not a very good conversation in November 2010 after a hearing was held with Judge Medd.

There is also one stamped envelopes from December 2007 that was sent to Eastling that had her name on it that the State withheld in 2008. There is another stamped envelope from February 2008 and a note that was sent to the United Church on or about 2-8-08 that Welte, Larson and Smith claim was stalking. The note and envelope has the United Church address on it and the note was addressed to the Church Committee and not to Moore or Eastling. I want these 2 items from 2-8-10. Eastling and Moore cashed in the enclosed check and then Eastling lied to a Pastor by stating that she had a restraining order against me when in fact she did not have one on 2-10-08. Then Welte, Larson, Simon, Smith got involved, and they conspired to file frivolous charges against me using lies and false claims, to enhance charges by helping Moore and Eastling get their DCRO's and the State getting their stalking charge and arrest warrant based on false probable cause on or about 2-14-08. Smith and former GF County Sheriff denied that Smith placed 2 threatening calls to me on 2-13-08. For 2 years they lied about it, and then GF Sheriff's phone records indicates Smith lied about it because the records prove he placed 2 calls to me on 2-13-08. Welte didn't like it that I obtained the Sheriff's phone records, so he personally sent out an email and informed all county personnel not to give me or share with me or sign for anything concerning the ongoing cases that involved Welte, Larson, Smith or Moore, and the Grove case wasn't filed until early January 2011, and that was when the GF Sheriff's Secretary pointed to her monitor and she said, "I am under orders, (pointing to Welte's email taped to her

monitor) from Welte's email not to accept or sign for any documents from you," (aka Randy Holkesvig).

Welte sent out emails to block and deny my access to the records in 2 closed cases and he illegally sent out personal emails to county personnel. Mr. Gaustad was heavily involved with Falck to deny my access in 2010 and in April 2010, there was a very serious ex-parte communication violation with Judge Corwin, Gaustad, and various partners in Gaustad's law firm. The first violation occurred out of the court, and the second violation occurred in court. The State covered it up by ignoring this violation. Then we had illegal costs awarded to Gaustad by Corwin in August/Sept 2010 where Gaustad filed duplicate DVD at highly inflated costs, and his deception is worthy of being barred.

Recorded phone calls, covering up evidence of innocence, fraud, deceit, no trust account deposit slips in two supersedeas judgment payments in April 2012, illegal contact with Judges behind closed doors, Fontaine's personal and abhorrent abuse and Corwin and Marquart numerous illegal acts and contacts with Gaustad and others within his law firm, illegal, immoral and unethical contacts with the Justices and private visits with them on appearances, lies being made in every Welte, Larson, Smith and Grove case, Judicial misconduct and favoritism to cover up these illegal acts, etc . . . all plays a part in the deceptive actions that Gaustad displayed. Welte and Larson and Yon lied, while Smith, Grove and other law enforcement officials lie and cover up their abuse with unsubstantiated claims. Vigness altered a DVD tape, Smith and

Grove repeatedly lied in their slanted reports, Simon lies about the 2008 events that occurred in July/ August 2008, the GFPD personnel lied about records in December 2010, and in 2013 Simon's phone records were obtained while the +200 page complaint that Simon and Welte received, can't be found by the GFPD. Simon received it from me in December 2010 as did Welte, and they covered it up. A copy of it is in the Welte files yet the GFPD has no record of it because Simon illegally covered up his own abuse by conspiring with Welte and others to dispose of this evidence in 2008. Even Dan Hill received a copy of it and the GF Sheriff's office is full of corruption. Just look at Rost's behavior from April 18, 2013.

Your participation in covering up these illegal acts is enhanced again by your deceptive representation in the Welte, Larson Smith cases and the Grove cases. Welte's office and the GF Sheriff's Office and the GFPD refused to investigate your illegal misapplication of a trust account where there is no record of any kind concerning the supersedeas bond payment you said you were going to deposit into a trust account in April 2012. On 5-1-12, you deceived me and tricked me by stating in the Welte and Grove cases, that my appeals were a "moot point" when in fact, you lied to me and to the court and now the State has corrupted the matter even more with additional abuse and frivolous rulings. At some in the near future, you will get a personal lawsuit filed against you from me. Edison illegally covers up every Disciplinary complaint because he can. This is a travesty of justice. The vendetta and

hatred and animosity against Holkesvig is full of retaliation because he has exposed numerous misconduct violations and the State simply ignores it and covers it up. Upwards of 79 Judicial and Disciplinary complaints have been filed, and at some point and time, all 79 cases will be dismissed by Edison to cover up the misconduct that is identical to other cases that have action taken that mirrors numerous complaints that I made but my cases were quickly disposed of. One can easily see the corruption within the State by all State officials, Judges, Justices, and this includes retaliation by Edison, incompetence by the Governor's office, massive cover up and open records violations by Stenehjem's office, while every civil case does not have any kind of legal or valid opinion issued based on the massive cover up by State officials. Adjudication is improper, illegal and unethical. I want these records and oaths as soon as possible.

Dated 4-29-14

/s/
Randy Holkesvig
P.O. Box 82
Fargo, ND 58107-0082
Cell #701-430-0914

May 6, 2014

Randy Holkesvig
PO Box 82
Fargo ND 58107-0082

RE: Holkesvig v. Rost
Case #18-2014-CV-00519
Our File #5959.355

Dear Mr. Holkesvig:

I am writing in response to your April 29, 2014 email, copy of which is enclosed. Based upon this email it is my understanding you are requesting records pursuant to N.D.C.C.§44-04-18(6). The following is in response to the particular requests:

1. You have requested an "email/memo that Welte sent to County personnel a/k/a the County Auditors Officials and GF Sheriff's Staff/Secretaries, from December, 2010 after [you] obtained new information that proves various State Officials, illegally withheld exculpatory evidence in 2008." I have contacted the Grand Forks County State's Attorney's office and no such memo exists.

2. You have requested "2 responses that Larson made to Uglem after she found out that [you] obtained Moore's January, 2008 Quest phone records." I have contacted the Grand Forks County State's Attorney and they do not have record of what you are requesting.

3. You are requesting "stamped envelopes from December, 2007 that was sent to Eastling that had her name on it that the State withheld in

> 2008 [and] another stamped envelope from February, 2008 and a note sent to the United Church on or about 2-8-08 that Welte, Larson and Smith claim was stalking." I have contacted the Grand Forks State's Attorney office and they do not have these envelopes. I have enclosed e-mails and notes that you evidently sent to the United Lutheran Church that have already been provided in prior actions you have been involved with.

The balance of your email contains unfounded allegations against various parties that do not necessitate a response with respect to the records request.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Sincerely,

/s/ Daniel L. Gaustad
Daniel L. Gaustad

DLG/skk
Encls.
cc: Peter Welte (w/encls.)
Bob Rost (w/encls.)

State of North Dakota,
Plaintiff and Appellee

20170266 **v.**

Randy Holkesvig,
Defendant and Appellant

Docket entries:

1 07/10/2017 NOTICE OF APPEAL: 07/10/2017

2 07/17/2017 Order Granting Leave to File Notice of Appeal

3 07/18/2017 NOT. OF FILING NOT. OF APPEAL AND PROOF OF SERV.

4 07/18/2017 Notice served on Randy Holkesvig and Meredith H. Larson

5 07/18/2017 Issues on appeal limited by Order Granting Leave to File Notice of Appeal

6 07/18/2017 Consolidated with 20170266, make all entries except dis and man in this case

7 07/31/2017 DOCUMENT RECEIVED – NOT FILED (Order Issued is Frivolous, Meritless, and Lawless)

8 07/31/2017 ANNOUNCED DISQUALIFICATION: VandeWalle, Gerald W.

9 08/21/2017 ANNOUNCED DISQUALIFICATION: Jensen, Jon J.

10 08/11/2017 ELEC. RECORD ON APPEAL DATED AUGUST 10, 2017 (ENTRY NOS.1-8, 10, 11 & 13-150) (NOT SENT 9 & 12)

11 08/14/2017 DOCUMENT RECEIVED – NOT FILED (Mot. to Stay And Delay Filing b/c Order Issued has not been lawfully

12 08/14/2017 Decided)

13 08/18/2017 DOCUMENT RECEIVED – NOT FILED (Mot. for Ext. of Time b/c Order Issued Regarding Issues Raised is

14 08/18/2017 Illegal, Immoral and Unethical

15 08/22/2017 DOCUMENT RECEIVED – NOT FILED (Motion for Extending the Due Date to October 19, 2017)

16 08/23/2017 DOCUMENT RECEIVED – NOT FILED (Untitled document dated August 23, 2017)

17 08/24/2017 MOT. EXT/TIME APPELLANT BRIEF (sua sponte)

18 08/24/2017 ACTION BY SUPREME COURT. Granted: 09/25/2017

19 09/14/2017 APPELLANT BRIEF (scanned)(only PDF) (clerk authorized to file)

20 09/14/2017 APPELLANT APPENDIX (clerk authorized to file)

21 09/15/2017 DOCUMENT RECEIVED – NOT FILED (untitled re: court documents and records to be filed with Clerks)

22 09/21/2017 MOTION to Void and Vacate Order Issued on August 25, 2017 (Clerk authorized to file)

23 09/25/2017 DOCUMENT RECEIVED – NOT FILED (motion to prevent judicial corruption)

24 09/27/2017 ACTION BY SUPREME COURT. Denied

25 09/27/2017 Received e-mail stating Haley Wamstad is now representing the State

26 09/28/2017 DOCUMENT RECEIVED – NOT FILED (Motion to Deny Change of Assignment of Attorney)

27 10/12/2017 APPELLEE BRIEF (PDF)

28 10/12/2017 E-FILED BRIEF (PDF)

29 10/12/2017 APPELLEE APPENDIX

30 10/12/2017 E-FILED APPENDIX

31 10/16/2017 Rec'd $25 e-filing surcharge for AEB (receipt #25545)

32 10/18/2017 Rec'd 6 copies of AEB & AEA from CSD

33 10/23/2017 DOCUMENT RECEIVED – NOT FILED (Motion to Stay Proceedings Because the Docket Records Are Corrupted

34 10/23/2017 Corrupted By the District Court Clerks and Supreme Court Clerks, and Order dated 9-27-17 for

35 10/25/2017 Supreme Court Nos. 20170266 and 20170267

36 10/23/2017 MOT. EXT/TIME REPLY BRIEF (Clerk authorized to file)

37 10/24/2017 ACTION BY CLERK. Granted: 11/06/2017

38 10/27/2017 REPLY BRIEF (PDF) (scanned)

39 10/27/2017 DISK (RYB) (scanned)

40 11/06/2017 Rec'd 8 sets of gray covers for RYB

41 11/06/2017 S.CT. DETERMINED ORAL ARGUMENT NOT NECESSARY

42 11/22/2017 SITTING WITH THE COURT: Kapsner, Carol Ronning

43 11/22/2017 SITTING WITH THE COURT: Neumann, William A.

44 12/13/2017 APPEARANCES: Wavied under N.D.R.App.P. 35(a)(2)

45 12/13/2017 ARGUED: Wavied under N.D.R.App.P. 35(a)(2)

46 12/18/2017 DOCUMENT RECEIVED – NOT FILED (Mot. to Correct the DC and SC Docket Records)

47 01/22/2018 DISPOSITION: DISMISSED

48 01/22/2018 UNANIMOUS OPINION: McEvers, Lisa K. Fair

49 01/23/2018 Judgment Sent to Parties

50 02/05/2018 PETITION FOR REHEARING (PDF)

51 02/05/2018 DISK (scanned)

52 03/07/2018 ACTION BY SUPREME COURT

53 03/15/2018 MANDATE

54 03/16/2018 DOCUMENT RECEIVED – NOT FILED (Request to Stay Mandate)

55 04/27/2018 MOTION REGARDING MANDATE

56 05/03/2018 ACTION BY SUPREME COURT. Denied