

ORIGINAL

FILED

09/27/2018

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Case Number: PR 07-0011

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FILED

SEP 27 2018

IN THE MATTER OF CALLING A RETIRED
DISTRICT JUDGE TO ACTIVE SERVICE

ORDER

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

The Judges of the District Court for the Second Judicial District of the State of Montana, have requested the assistance of retired District Judge Ed McLean to assume jurisdiction of Gallatin County Cause No. DC-15-130AX, *State of Montana v. Dayle Harris Kountz*.

Judge McLean has retired under the provisions of the Montana Judges' Retirement System and, being subject to call for duty pursuant to § 19-5-103(a) and (b), MCA, has advised that he is agreeable to assisting the Second Judicial District Court with the above-listed matter.

IT IS HEREBY ORDERED:

1. The Honorable Ed McLean, retired District Judge, is hereby called to active service in the District Court of the Second Judicial District of the State of Montana, to assume judicial authority of Gallatin County Cause No. DC-15-130AX, *State of Montana v. Dayle Harris Kountz*, and is hereby authorized to proceed with any and all necessary hearings, opinions, and orders, including final resolution of said matter.

2. For all active service, Judge McLean shall be paid the salary compensation to which he is entitled by § 19-5-103(2)(b), MCA, and actual expenses, if any, shall be reimbursed.

3. A copy of this Order shall be filed with the Clerk of Court of the Second Judicial District, with the request that this Order be sent to all counsel of record in Cause No. DC-15-130AX, *State of Montana v. Dayle Harris Kountz*.

4. A copy of this Order shall also be furnished to the Honorable Kurt Krueger, the Honorable Ed McLean, and to Cathy Pennie, Office of the Supreme Court Administrator.

This Order is entered by the Chief Justice pursuant to Article VII, Section 6(3) of the 1972 Montana Constitution, and statutes enacted in conformity therewith and in implementation thereof.

DATED this 27th day of September, 2018.



Chief Justice