

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. PR 07-0011

FILED

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

ORDER APR 05 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

The Honorable Dorothy McCarter, Judge of the District Court of the First Judicial District of the State of Montana, has advised this Court that she requests the assistance of retired District Judge and Justice John Warner to assume jurisdiction in Lewis and Clark County Cause Nos. BDV 2007-227 and ADV 2006-912. The Honorable John Warner, having retired under the provisions of the Montana Judges' Retirement System, being subject to call for duty pursuant to § 19-5-103, MCA, and having advised that he is agreeable to assisting the First Judicial District Court by assuming jurisdiction in Lewis and Clark County Cause Nos. BDV 2007-227 and ADV 2006-912,

IT IS HEREBY ORDERED:

1. The Honorable John Warner, retired District Judge and Justice, is hereby called to active service in the District Court of the First Judicial District of the State of Montana, Lewis and Clark County, by assuming jurisdiction in Lewis and Clark County Cause Nos. BDV 2007-227 and ADV 2006-912. The Honorable John Warner shall be paid the salary compensation to which he is entitled by § 19-5-103(2)(b), MCA.

2. A certified copy of this Order shall be filed with the District Court Clerk of Lewis and Clark County, and copies shall be furnished to the counsel of record in Lewis and Clark County Cause Nos. BDV 2007-227 and ADV 2006-912, to the Honorable Dorothy McCarter and to the Honorable John Warner.

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

DATED this 3rd day of April, 2010.


Chief Justice