

ORIGINAL

FILED

07/30/2019

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: OP 19-0393

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 19-0393

FILED

JUL 30 2019

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

WILLIAM JOHN NORDHOLM,

Petitioner,

v.

ORDER

LYNN GUYER, Warden,  
Montana State Prison,

Respondent.

William John Nordholm petitions this Court for habeas corpus relief from the revocation of his conditional release. He also moves this Court for an expedited review of his matter where he notes his “preemptive objections” to any motion for an extension of time filed by counsel for the Respondent.

Nordholm’s relief is not with this Court. In his instant petition, Nordholm mentions that we dismissed his previous petition for a writ of habeas corpus last year; this dismissal was due to his pending appeal before this Court. *Nordholm v. Salmonsens*, No. OP 18-0217, 392 Mont. 553, 261 P.3d 264 Order (Mont. May 9, 2018). On July 23, 2019, this Court issued a decision where we reversed and remanded for a new trial. *State v. Nordholm*, No. DA 17-0120, 2019 MT 165, 2019 Mont. LEXIS 268.

During the pendency of this appeal, Nordholm sought relief here and elsewhere.<sup>1</sup> Nordholm offers that since 2018 he has a habeas corpus proceeding in the United States District Court, District of Montana, which has since been stayed. *Nordholm v. Salmonsens et al.*, No. 6:18-cv-00067. Nordholm’s claims for relief also concern the revocation of his conditional release based on the electronically accessed court’s docket. It appears that

<sup>1</sup> The Department of Corrections revoked Nordholm’s conditional release while his appeal was pending with this Court.

Nordholm has raised similar claims in his stayed federal habeas corpus matter pending in U.S. District Court, and we decline to consider his petition in this Court.

Without considering the merits, we must dismiss this petition. Having reached this conclusion his Motion to Expedite Proceedings and Preemptive Objections to any State's Motions for Extension of Time is considered moot. Accordingly,


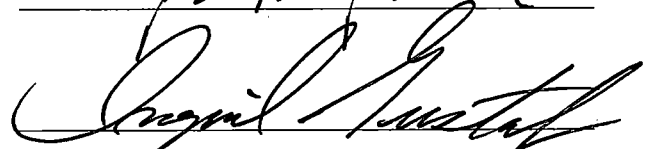


IT IS ORDERED that Nordholm's Petition for a Writ of Habeas Corpus is DISMISSED, without prejudice.

IT IS FURTHER ORDERED that Nordholm's Motion to Expedite Proceedings and Preemptive Objections to any State's Motions for Extension of Time is DENIED as moot.

The Clerk is directed to provide a copy of this Order to Tim Fox, Attorney General; to Michael Wellenstein, Attorney General's Office; to Ben Krakowka, Anaconda-Deer Lodge County Attorney; to Kristen L. Peterson and Chad M. Wright, Appellate Defender Division; to counsel of record, and to William John Nordholm personally.

DATED this 30<sup>th</sup> day of July, 2019.

  
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Chief Justice

  
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Justices