

ORIGINAL

FILED

04/24/2020

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 20-0233

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 20-0233

WARDEN LYNN GUYER, WARDEN JENNIE
HANSEN, AND MONTANA DEPARTMENT OF
CORRECTIONS,

Petitioners,

v.

MONTANA EIGHTH JUDICIAL DISTRICT
COURT, CASCADE COUNTY, HON.
ELIZABETH A. BEST, DISTRICT JUDGE,

Respondents.

FILED

APR 24 2020

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

Petitioners Warden Lynn Guyer, Warden Jennie Hansen, and Montana Department of Corrections (DOC) seek a writ of supervisory control over the Montana Eighth Judicial District Court in Cause Nos. BDC-17-295, BDC-16-417, BDC-13-334, BDC-14-393, BDC-19-703, BDC-17-568, DDC-15-332(B), BDC-15-107, and BDC-18-327, to reverse that court's orders for immediate transfer of the defendants in those matters from Cascade County Detention Center (CCDC) to either the Montana State Prison or the Montana Women's Prison.

DOC alleges the District Court has no authority to direct that these defendants be transported out of CCDC. DOC further requests a stay of proceedings in the District Court pending the outcome of this Petition as the District Court has ordered transportation to occur on April 27, 2020.

Having reviewed the Petition and the challenged District Court orders, this Court deems it appropriate to obtain a summary response. Therefore, in accordance with M. R. App. P. 14(7),

IT IS ORDERED that the Eighth Judicial District Court and Cascade County Attorney Joshua A. Racki, the movant in the underlying matters, or both, are granted

twenty days within which to prepare, file, and serve a response(s) to the petition for writ of supervisory control in the above-listed Cause Nos.


IT IS FURTHER ORDERED that the District Court's orders and further proceedings in the underlying case are STAYED pending this Court's decision on the Petition.

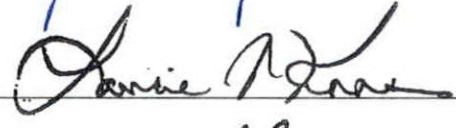
The Clerk is directed to provide immediate notice of this Order to Cascade County Attorney Joshua A. Racki, and to the Honorable Elizabeth Best, presiding District Court Judge.

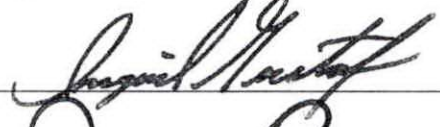
DATED this 24th day of April, 2020.




Chief Justice









Justices