

 ORIGINAL

FILED

09/14/2022

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 07-0011

FILED

SEP 14 2022

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Case Number: PR 07-0011

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

ORDER

The Honorable Matthew J. Cuffe, Judge of the District Court for the Nineteenth Judicial District of the State of Montana, has requested the assistance of retired District Judge Wm. Nels Swandal to assume jurisdiction of Cause Nos. DC-22-76, *State v. Miranda Jean Keith*, DC-22-65, *State v. Halie Maria Herzog*, and DC-22-70, *State v. John Clinton Alyea*.

Judge Swandal 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 Nineteenth Judicial District Court with the above-listed matters.

IT IS HEREBY ORDERED:

1. The Honorable Wm. Nels Swandal, retired District Judge, is hereby called to active service in the District Court of the Nineteenth Judicial District of the State of Montana, to assume judicial authority of Cause Nos. DC-22-76, *State v. Miranda Jean Keith*, DC-22-65, *State v. Halie Maria Herzog*, and DC-22-70, *State v. John Clinton Alyea*, and is hereby authorized to proceed with any and all necessary hearings, opinions, and orders, including final resolution of said matters.

2. For all active service, Judge Swandal 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 Nineteenth Judicial District, with the request that this Order be sent to all counsel of record in the above-listed matters.

4. A copy of this Order shall also be furnished to the Honorable Matthew J. Cuffe, the Honorable Wm. Nels Swandal, 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 14th day of September, 2022.



Chief Justice