

 ORIGINAL

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05/04/2023

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: PR 07-0011

IN THE SUPREME COURT OF THE STATE OF MONTANA

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FILED

MAY 04 2023

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

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

The Honorable Ray Dayton, Judge of the District Court for the Third Judicial District of the State of Montana, has requested the assistance of retired District Judge Ed McLean to assume jurisdiction of Powell County Cause No. DC-22-113, *State v. LaTray*, and Anaconda-Deer Lodge County Cause No. DC-22-96, *State v. Cunningham*. Judge Dayton also requests assistance with the Law and Motion Calendar in Powell County and Anaconda-Deer Lodge County June 6 through 9, 2023.

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 Third Judicial District Court with the above-listed matters.

IT IS HEREBY ORDERED:

1. The Honorable Ed McLean, retired District Judge, is hereby called to active service in the District Court of the Third Judicial District of the State of Montana, to assume judicial authority of Powell County Cause No. DC-22-113, *State v. LaTray*, Anaconda-Deer Lodge County Cause No. DC-22-96, *State v. Cunningham*, and the Law and Motion Calendar in Powell County and Anaconda-Deer Lodge County June 6 through 9, 2023, 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 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 Clerks of Court of Powell County and Anaconda-Deer Lodge County, 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 Ray Dayton, 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 4th day of May, 2023.



Chief Justice