

## IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 23-0497

GAIGE ALEXANDER CAYE,

Petitioner,

v.

## O R D E R

LAKE COUNTY SHERIFF DON BELL, and  
BRIAN GOOTKIN, Director, Department of  
Corrections,

Respondent.

Through counsel, Petitioner Gaige Alexander Caye petitions for a writ of habeas corpus to compel his release from the Lake County Jail in accordance with the Twentieth Judicial District Court's order continuing his sentencing hearing and releasing him on his own recognizance so he could secure his bed date at Rimrock Treatment Center. Caye alleges that the jail refused to release him because the Department of Corrections had placed a "parole hold" on him pending completion of parallel parole revocation proceedings. Caye argues that the Respondents have violated both his due process rights and a lawful court order directing his release from custody. Upon review of Caye's petition and attachments, we find it appropriate to invite a response.

IT IS THEREFORE ORDERED that the Attorney General, Montana Department of Corrections, and Lake County, or any of them, are granted twenty days from the date of this Order in which to prepare, file, and serve a written response to the petition for a writ of habeas corpus together with appropriate documentary exhibits.

The Clerk of the Supreme Court is directed to provide a copy of this Order to the Montana Attorney General's Office; to counsel for the Department of Corrections; to Lyn Fricker, Clerk of District Court for Lake County, under Cause No. DC-18-405; to James Lapotka, Lake County Attorney; and to all counsel of record.

Electronically signed by:  
Beth Baker  
Justice, Montana Supreme Court  
September 7 2023