



FILED

09/25/2023

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: OP 23-0561

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 23-0561

STEVEN JUSTIN HEDRICK,

Petitioner,

vs.

MONTANA ELEVENTH JUDICIAL DISTRICT  
COURT, FLATHEAD COUNTY, HONORABLE  
AMY EDDY, Presiding,

Respondent.

ORDER

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Clerk of Supreme Court  
State of Montana

Petitioner Steven Justin Hedrick, via counsel seeks a writ of supervisory control directing the Eleventh Judicial District Court, Flathead County, to vacate its September 22, 2023 Order Denying Motion to Strike 9/25/2023 Jury Panel in that court's Cause No. DC-12-052(A). Hedrick alleges that structural error occurred in the jury selection process because the Flathead County Clerk of Court did not substantially comply with § 3-15-405, MCA, by not "following up" with prospective jurors who failed to respond to the Jury Notice and that the District Court did not provide adequate remedy via its rulings in this case. Hedrick further seeks a stay of his jury trial, set to commence September 25, 2023, pending resolution of this petition for writ.

Having reviewed the Petition and the challenged Order, this Court deems it appropriate to obtain a summary response. This Court has been advised by the Flathead County Clerk of Court that the District Court has continued the trial. Thus we will revisit the issue of stay after obtaining responses and if we determine a stay is necessary.

In accordance with M. R. App. P. 14(7),

IT IS THEREFORE ORDERED that the Eleventh Judicial District Court, and State of Montana, Plaintiff in the underlying District Court case, are granted to and including October 16, 2023, to prepare, file, and serve a response(s) to the petition for writ of supervisory control in Cause No. DC-12-052(A).

IT IS FURTHER ORDERED that Hedrick's motion for stay is TAKEN UNDER ADVISEMENT.

The Clerk is directed to provide immediate notice of this Order to counsel for Petitioner, all counsel of record in the Eleventh Judicial District Court, Flathead County, Cause No. DC-12-052(A), and the Honorable Amy Eddy, presiding.

DATED this 25th day of September, 2023.

For the Court,

By

A handwritten signature in blue ink, appearing to be "M. W. R.", is written over a horizontal line.

Chief Justice