



ORIGINAL

FILED

10/31/2023

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,

v.

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

Respondent.

ORDER

FILED

OCT 31 2023

Bowen Greenwood  
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.

After receiving Hedrick's petition for writ, we requested the District Court to file a summary response pursuant to M. R. App. P. 14(7). On October 12, 2023, the District Court responded and stated that on September 22, 2023, it had issued an Order to Stay Jury Trial that vacated the September 25, 2023 setting, thereby releasing the 9/25/2023 Jury Panel which was the subject of Hedrick's motion to strike. The District Court further advises us that it issued an Order Setting Jury Trial on October 2, 2023, setting this matter for a jury trial commencing November 6, 2023, with a newly drawn jury list. The court further explains that the Flathead County Clerk of District Court has provided a certified

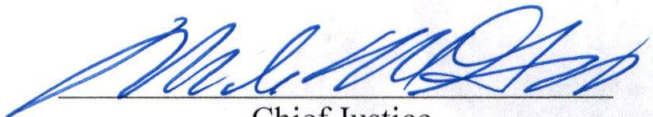
list to the Flathead County Sheriff of the individuals who had not responded to the previous jury notices and the Sheriff's Office will personally serve these individuals.

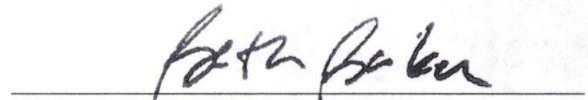

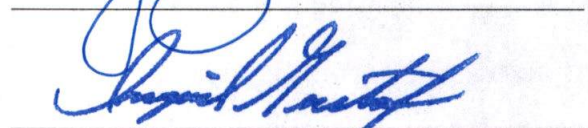
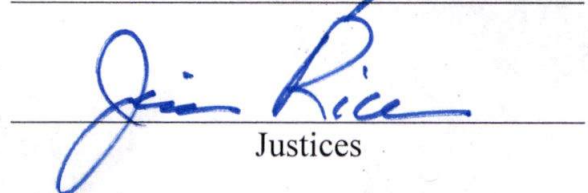
Thus, the matters for which Hedrick sought the writ have been addressed and resolved by the District Court. As such, it is not necessary for this Court to take further action in this matter at this time.

IT IS THEREFORE ORDERED that the petition for a writ of supervisory control is DENIED and DISMISSED.

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 31<sup>st</sup> day of October, 2023.

  
Chief Justice

  
  
  
  
Justices