

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 07-0011; DA 13-0132

FILED

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

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)

ORDER

MAY 14 2013

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

On May 1, 2013, this Court issued an order remanding the case on appeal in our Cause No. DA 13-0132, *Palmer v. Quinn, et al.*, to the Eighteenth Judicial District Court, Gallatin County, to allow that court to make a determination of the contents of the record on appeal. The Court has since been informed that retired District Judge William Nels Swandal handled that case in the District Court and would be the judge best suited to handling the case on remand. 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, MCA, has advised that he is agreeable to assisting the Eighteenth Judicial District Court with this matter.

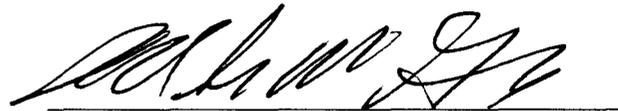
IT IS HEREBY ORDERED:

1. The Honorable William Nels Swandal, retired District Judge, is hereby called to active service in the District Court of the Eighteenth Judicial District of the State of Montana, to assume jurisdiction on remand in Gallatin County Cause No. DV-09-1211, and is hereby authorized to proceed with any and all necessary hearings, opinions and orders, including final resolution of said matters.
2. Judge Swandal shall be paid the salary compensation to which he is entitled by § 19-5-103(2)(b), MCA.
3. The deadlines set forth in this Court's May 1 order in our Cause No. DA 13-0132 are extended as follows: Judge Swandal shall issue a final order on or before June 15, 2013; the complete record and transcripts shall be filed with the Clerk of this Court on or before July 1, 2013, and the Appellant's opening brief on appeal shall be filed thirty days thereafter.

4. A copy of this order shall be filed with the District Court Clerk of Gallatin County. The Clerk of this Court shall also furnish copies of this Order to the Honorable William Nels Swandal, all counsel of record in this Court's Cause No. DA 13-0132, and Becky Buska in the Office of the Supreme Court Administrator.

This order is entered by the Chief Justice pursuant to Art. VII, Section 6(3), 1972 Mont. Const., and statutes enacted in conformity therewith and in implementation thereof.

DATED this 14th day of May, 2013.



Chief Justice