



ORIGINAL

FILED

09/29/2022

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 22-0552

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 22-0552

STATE OF MONTANA, et al.,

Petitioners,

v.

MONTANA THIRTEENTH JUDICIAL
DISTRICT COURT, YELLOWSTONE
COUNTY, HON. MICHAEL G. MOSES,
Presiding,

Respondent.

FILED

SEP 29 2022

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

Petitioner State of Montana seeks a writ of supervisory control directing the Thirteenth Judicial District Court, Yellowstone County, to vacate its September 19, 2022 Findings of Fact, Conclusions of Law, and Order Granting in Part and Denying in Part Plaintiffs' Motion Seeking Clarification of the Preliminary Injunction in that court's Cause No. DV-21-873. The State alleges the District Court erred when it ruled that the Montana Department of Health and Human Services must reinstate the administrative rules that were in effect prior to the passage of SB 280, the enactment of which the District Court enjoined in a prior ruling in this matter. The State also seeks a stay of the District Court's order 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. We will revisit the issue of stay after obtaining responses.

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

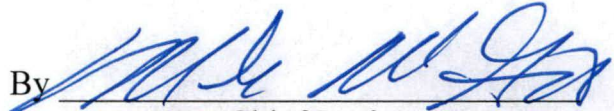
IT IS ORDERED that Amelia Marquez and John Doe, Plaintiffs in the underlying District Court case, are granted 20 days from the date of this Order to prepare, file, and serve a response(s) to the petition for writ of supervisory control in Cause No. DV-21-873.

IT IS FURTHER ORDERED that the State'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 Thirteenth Judicial District Court, Yellowstone County, Cause No. DV-21-873, and the Honorable Michael G. Moses, presiding.

DATED this 29th day of September, 2022.

For the Court,

By 
Chief Justice