

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

**ORDER ON PETITION FOR REHEARING**

Supreme Court Nos. 20210167, 20210168, & 20210169  
Grand Forks Co. Nos. 2021-CV-00379, 2021-CV-00389, & 2021-CV-00391

**Leroy Kenneth Wheeler,**  
**v.**  
**State of North Dakota,**

**Petitioner and Appellant**  
**Respondent and Appellee**

[¶1] This appeal having been considered by the Court at the October 2021 Term and an opinion having been filed on October 14, 2021 by:

[¶2] Chief Justice Jon J. Jensen, Justice Gerald W. VandeWalle, Justice Daniel J. Crothers, Justice Lisa Fair McEvers, and Justice Jerod E. Tufte;

[¶3] and a petition for rehearing having been filed by Leroy K. Wheeler, Appellant, and the Court having considered the matter, it is hereby **ORDERED AND ADJUDGED**, that the petition be and is hereby **DENIED**.

[¶4] **AND IT IS FURTHER ORDERED**, that this cause be and it is hereby remanded to the District Court for further proceedings according to law, and the judgment of this Court.

Dated: November 4, 2021

[¶5] Jon J. Jensen, C.J.  
Gerald W. VandeWalle  
Daniel J. Crothers  
Lisa Fair McEvers  
Jerod E. Tufte

