

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

Plains Trucking, LLC,

Petitioner,

vs.

Richard Hagar, Judge of the District Court,
North Central Judicial District, Darian Songer
Bail; Missouri Basin Well Service, Inc. d/b/a
MBI Energy Services,

Respondents.

SUPREME COURT NO.

Civil No. 51-2016-CV-00916

APPEAL FROM THE DISTRICT COURT DATED SEPTEMBER 27, 2018
WARD COUNTY, NORTH DAKOTA
NORTH CENTRAL JUDICIAL DISTRICT
HONORABLE RICHARD HAGAR

PETITION FOR SUPERVISORY WRIT

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[¶1] Petitioner prays for relief in the form of a supervisory writ issued under this Court's original jurisdiction directing Respondent Judge Hagar to vacate his September 27, 2018, Order Denying Plains Trucking's Motion for Summary Judgment on a claim for which jurisdiction of the Courts of this State has been abolished by the legislature pursuant to Section 65-01-01, N.D.C.C. Exercise of this Court's original jurisdiction under Article VI, Section 2 of the North Dakota Constitution is proper on the grounds that the District Court's Order creates an injustice and Petitioner has no reasonable adequate alternative remedy. Issuance of a supervisory writ is also proper pursuant to this Court's "superintending control over inferior courts." Section 27-02-04, N.D.C.C.

Dated this 15th day of January, 2019.

/s/ Lawrence E. King
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