

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF WARD

NORTHWEST JUDICIAL DISTRICT

State of North Dakota,)
)
 Plaintiff,)
)
 vs.)
)
 Jeffery Don Tigert,)
)
 Defendant.)

Criminal No. 51-2013-CR-02520
PETITION OF SUPERVISORY WRIT

TO: ANDREW J. SCHULTZ, PO BOX 3218, MINOT, ND 58702-3218

1. PLEASE TAKE NOTICE that the above named Plaintiff hereby appeals to the North Dakota Supreme Court the Trial Court’s Order, orally issued August 26, 2014, which suppressed a confession or admission. This appeal is not taken for purpose of delay and the evidence suppressed is substantial proof of a fact material in the proceeding.
2. WHEREFORE the State filed a Notice of Appeal with the North Dakota Supreme Court and requested a continuance of the trial pending the appeal.
3. WHEREFORE the Court denied the State’s request for continuance and advised the State that it could not appeal the Court’s Order which suppressed a confession or admission.
4. WHEREFORE the State requested the Court to issue a written order to attach to the original Notice of Appeal filed, which the Court has not done to this point.
5. WHEREFORE the Court informed the State that the State must file a Petition of Supervisory Writ and the State complied.
6. WHEREFORE the Court refused to cancel the above captioned trial unless it is presented with an Order for Stay of Execution.

7. WHEREFORE the State prays the North Dakota Supreme Court grant supervision and Order a Stay of the proceedings in district court which are scheduled to commence at 8:30 a.m., August 27, 2014.

Dated this 26th of August, 2014.

____Marie A. Miller____
Marie A. Miller (ND ID #06617)
Assistant State's Attorney
Ward County State's Attorney's Office
P.O. Box 5005
Minot, ND 58701
701-857-6480

**STATE OF NORTH DAKOTA
COUNTY OF WARD**

**IN DISTRICT COURT
NORTHWEST JUDICIAL DISTRICT**

State of North Dakota,)
)
Plaintiff,)
Vs.)
)
)
Jeffery Don Tigert)
)
Defendant.)

Crim. No.: 51-13-CR-02520

CERTIFICATE OF SERVICE

I, Marie A. Miller, do hereby certify that on August 26, 2014, I served the following documents:

Petition of Supervisory Writ; and
Order for Transcript

On:

Andrew J. Schultz
andrewatschultzlaw@gmail.com

Dated this 26th day of August, 2014.

Marie A. Miller
Marie A. Miller (ND ID #06617)
Ward County Assistant State's Attorney
PO Box 5005
Minot, ND 58701
701-857-6480
marie.miller@wardnd.com

**STATE OF NORTH DAKOTA
COUNTY OF WARD**

**IN DISTRICT COURT
NORTHWEST JUDICIAL DISTRICT**

State of North Dakota,)
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Plaintiff,)
Vs.)
)
)
Jeffery Don Tigert)
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Defendant.)

Crim. No.: 51-13-CR-02520

CERTIFICATE OF SERVICE

I, Marie A. Miller, do hereby certify that on August 26, 2014, I served the following documents:

Petition of Supervisory Writ; and
Order for Transcript

On:

The Honorable Douglas L. Mattson
DMattson@ndcourts.gov

Dated this 26th day of August, 2014.

Marie A. Miller
Marie A. Miller (ND ID #06617)
Ward County Assistant State's Attorney
PO Box 5005
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