

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

JUDGMENT

Supreme Court No. 20200188
McKenzie County Case No. 2019-CV-00245

Appeal from the district court for McKenzie County.

Timothy S. Dwyer, a/k/a Tim Dwyer, Jr.,

**Plaintiff, Appellant,
and Cross-Appellee**

v.

**Margret Sell, Co-Trustee of the Tim
Dwyer Farm Trust; John Dwyer,
Co-Trustee of the Tim Dwyer Farm Trust;
Jane Dwyer Morgan; Barbara Dwyer Rice;
Peggy Dwyer Sell a/k/a Margret Sell;
John W. Dwyer a/k/a John Dwyer,**

**Defendants, Appellees,
and Cross-Appellants**

and

**Patrick Sell; Johnny Dwyer; Molly Binger;
Olin Sell; Dana Dwyer; Ingrid Kalinowski
a/k/a Ingrid A. Sell; Andy Dwyer;
Jack Dwyer; Rachel Meuchel; Dan Dwyer;
Tommy Dwyer; Joey Dwyer; Sadie Bro,**

**Defendants
and Appellees**

and

**Ruth Dwyer Coleman; Michael A. Dwyer;
Sarah Grossman; Johnny Coleman;
Sam Coleman; Josh Dwyer; Katie Montplaisir;
Anne Dwyer; Billy Morgan; Katie Joraanstad;
Mike Morgan; Judah Coleman; Beky Olson; Will Rice;
Janna Schmidt; Paul Rice; Charles Coleman;
David Morgan; Taylor Dwyer; Tessa Dwyer;
Teddi Dwyer; Tianna Dwyer,**

Defendants

[¶1] This appeal having been considered by the Court at the April 2021 Term before:

[¶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 the Court having considered the appeal, it is ORDERED AND ADJUDGED that the amended judgment of the district court is AFFIRMED.

[¶4] IT IS FURTHER ORDERED AND ADJUDGED that no parties have and recover costs and disbursements in this appeal.

[¶] This judgment, together with the opinion of the Court filed this date, constitutes the mandate of the Supreme Court on the date it is issued to the district court under N.D.R.App.P. 41.

Dated: August 5, 2021



By the Court:

Jon J. Jensen
Chief Justice

ATTEST:

Petra H. Mandigo Hulm
Clerk