

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER ON PETITION FOR REHEARING

Supreme Court No. 20200266
Grand Forks Co. No. 2020-CV-02006

Cody Michael Atkins,
v.
State of North Dakota,

Defendant and Appellant
Plaintiff and Appellee

[¶1] This appeal having been considered by the Court at the January 2021 Term and an opinion having been filed on May 6, 2021 by:

[¶2] Acting Chief Justice Daniel J. Crothers, Justice Gerald W. VandeWalle, Justice Lisa Fair McEvers, Justice Jerod E. Tufte, and District Judge Daniel S. El-Dweek, sitting in place of Chief Justice Jon J. Jensen

[¶3] and a petition for rehearing having been filed by Benjamin C. Pulkrabek, for the Appellant, Cody Michael Atkins, 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: June 23, 2021

[¶5] Daniel J. Crothers, Acting C.J.
Gerald W. VandeWalle
Lisa Fair McEvers
Jerod E. Tufte
Daniel S. El-Dweek, D.J.

