

**Supreme Court Clerk's Office - Erck, Sarah**

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**From:** Supreme Court Clerk's Office - Erck, Sarah  
**Sent:** Wednesday, October 26, 2022 4:32 PM  
**To:** 'zachary@rosenquistlawoffice.com'  
**Cc:** 'sasupportstaff@gfcounty.org'; Sherman, Jodi; Manthei, Diane  
**Subject:** Notice of Appeal - Interest of A.M.K., Supreme Court No. 20220316  
**Attachments:** 20220316\_noa.pdf; otr.pdf; dec\_serv\_noa.pdf

*SUPREME COURT OF NORTH DAKOTA  
OFFICE OF THE CLERK  
600 E Boulevard Avenue  
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1-800-366-6888 (TTY)  
supclerkofcourt@ndcourts.gov*

**VIA E-MAIL ONLY**

October 26, 2022

Zachary S. Tomczik  
2750 26th St. S., Ste. C  
Grand Forks, ND 58201

RE: Interest of A.M.K.  
Supreme Court No. 20220316  
Grand Forks Co. No. 2022-MH-00118

I received the Notice of Appeal in this matter which was filed on October 26, 2022. This letter, along with the attached copy of the Notice of Appeal, will serve as the required notice under N.D.R.App.P. 3(d). This letter, the notice of appeal, any order for transcript(s), and the enclosed declaration of service will be filed in Odyssey.

**As this is an expedited matter, I trust the clerk of court will certify the record on appeal to our office immediately.**

The file indicates that transcripts have been ordered in this matter. **By copy of this letter to the Court Reporter**, please forward the transcripts as soon as possible, but no later than **November 2, 2022**. **A recording of the proceedings may substitute for the transcript.**

This will acknowledge the electronically filed Appellant's Brief filed October 26, 2022. The left margin of your brief is not consistently one and one-half inches as required by the rule. The rules require that the left-hand margin be at least one and one-half inches. I call this to your attention for future filings because anything less than a one and one-half inch left margin could be cut-off or punched through when the brief is printed.

**The Appellee's Brief will be due seven (7) days following service of the Appellant's Brief. Due to the expedited nature of this matter, the Appellee's brief is due by 4 p.m. on Wednesday, November 2, 2022.**

It is noted there was no request for oral argument under N.D.R.App.P. 28(h) made by you. Therefore, unless the appellee requests argument, oral argument may not be scheduled. I remind all counsel that the Court could still waive the entire argument. See, N.D.R.App.P. 34(a)(1)(e). **If argument is held, it will be November 7, 2022 at 9:30 a.m.**

A Notice of Intention of Appellant to be present during Supreme Court oral argument has not been filed. Please refer to Rule 2.1 (f), N.D.R.App.P., if the Appellant will be attending oral argument.

Under N.D.R.App.P. 14, in a mental health proceeding, the name of the respondent may not be used in any filed documents and at oral argument. These individuals may be referred to by initials or pseudonyms.

All correspondence in this matter will be made by e-mail, including forwarding a copy of any orders or opinions filed. If we do not have an e-mail address for a party, all correspondence will be sent by U.S. Mail.

Sincerely,

/s/ Sarah Erck  
Deputy Clerk  
North Dakota Supreme Court

attachments

cc: Madison E. Gruber  
Jodi Sherman, Court Reporter  
Diane Manthei, Lead Court Reporter  
Clerk of District Court copied via filing in Odyssey

*This email and any transmitted files attached are intended solely for the use of the individual or entity to which they are addressed, and may be confidential under the law. If you have received this email in error please notify the originator of the message.*

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

**UNSWORN DECLARATION OF SERVICE**

Supreme Court No. 20220316  
Grand Forks Co. Court No. 2022-MH-00118

**In the Interest of A.M.K.**

**Theresa Smith, FNP,**

**v.**

**A.M.K.,**

**Petitioner and Appellee**

**Respondent and Appellant**

[¶1] Sarah Erck, states that she is of legal age and that on October 26, 2022, she served the Notice of Appeal in the above matter electronically as follows:

**Zachary Stephen Tomczik at zachary@rosenquistlawoffice.com  
Rosenquist Law Office  
2750 26th St. S., Ste. C  
Grand Forks, ND 58201**

**Madison Elizabeth Gruber at sasupportstaff@gfcounty.org  
Grand Forks County State's Attorney's Office  
124 S. Fourth St.  
P.O. Box 5607  
Grand Forks, ND 58201**

I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct. Signed on October 26, 2022, at Bismarck, ND, USA.

/s/ Sarah Erck  
Deputy Clerk