

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER OF REMAND

Supreme Court No. 20220325
Williams Co. No. 2019-CV-00589

Michael Davis and Kimberly Davis,
v.
**Mercy Medical Center d/b/a CHI St.
Alexius Health Williston; and David
Keene, M.D.,
and
and Cherise Norby, N.P.,**

Plaintiffs and Appellees

Defendants and Appellants

Defendant

[¶1] On November 4, 2022, Mercy Medical Center d/b/a CHI St. Alexius Health Williston and David Keene, M.D. filed a notice of appeal from a district court amended judgment entered on May 23, 2022. On May 18, 2022, the district court entered an order, which dismissed all claims against Cherise Norby, N.P. with prejudice. However, the amended judgment entered on May 23, 2022, does not address the dismissal of claims against Cherise Norby, N.P. Additionally, the amended judgment contains language stating: “Let judgment be entered accordingly.” The Court considered the matter, and

[¶2] ORDERED, that this case be temporarily remanded to the district court for seven days for the limited purpose of amending the judgment to include the dismissal of all claims against Cherise Norby, N.P., if appropriate, and to remove the “Let judgment be entered accordingly” language.

[¶3] IT IS FURTHER ORDERED, that upon completion of this remand by the district court, the Clerk of the Williams County District Court file an updated Certificate of Record.

[¶4] Entered the 14th day of November, 2022, with the Honorable Jon J. Jensen, Chief Justice, directing the Clerk of the Supreme Court to enter the above order.



/s/ Meagen A. Powell
Chief Deputy Clerk
North Dakota Supreme Court