In the Court of Appeals of the State of Alaska

L.B. (Minor), Petitioner, v. **State of Alaska and Alaska Court System,** Respondents.	Court of Appeals No. **A-13813** **Order** Petition for Review Date of Order: **3/25/2021**

Trial Court Case No. **3AN-19-00113DL**

Before: Allard, Chief Judge, Harbison and Terrell, Judges

On March 18, 2021, L.B., a minor, filed an emergency petition for review of an order by the presiding judge of the Third Judicial District denying L.B. and the State's joint motion for an in-person jury trial to begin March 22, 2021. L.B. also filed an unopposed motion for expedited consideration. We granted expedited consideration that same day.

The State filed a response to the petition on March 22, 2021. In its response, the State agreed with L.B. that it was error for the presiding judge to deny their joint motion for an in-person jury trial. The Alaska Court System declined this Court's invitation to respond to the petition.

Because we agree with the parties that important rights are at stake and that postponement of review could impair those rights, we GRANT the petition under Alaska Appellate Procedure Rule 402(b)(1). In our view, this is a very difficult case with many factors in favor of allowing this case to proceed to in-person trial. However, for the reasons explained in this order, we conclude that we cannot find the presiding judge's decision to temporarily delay the in-person trial an abuse of discretion under the record currently before this Court.

Background facts

On March 15, 2020, the Chief Justice of the Alaska Supreme Court issued a special order postponing all jury trials in the state because of the public health concerns presented by the COVID-19 pandemic.[1] The Chief Justice subsequently issued additional special orders that continued to suspend all jury trials through April 2021.[2]

On February 8, 2021, the Chief Justice issued Special Order No. 8235 that provided a process through which litigants could petition a trial court for an in-person criminal jury trial notwithstanding the on-going suspension of all jury trials. Special Order No. 8235 states, in pertinent part:

> Beginning March 15, 2021, a presiding judge may allow an in-person criminal jury trial upon request consistent with public health. A party may request such an order by making a motion to the trial court. The assigned trial court judge shall make findings on all relevant factors and submit a recommendation to the presiding judge for decision. When making this decision, the presiding judge should consider all relevant factors, including:

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[1] Special Order of the Chief Justice, Order No. 8130 (March 15, 2020). All of the Special Orders of the Chief Justice are available at http://courts.alaska.gov/covid19/index.htm#socj (last visited March 24, 2021).

[2] *See, e.g.*, Special Order of the Chief Justice, Order No. 8131 (March 19, 2020); Special Order of the Chief Justice, Order No. 8144 (May 11, 2020); Special Order of the Chief Justice, Order No. 8155 (June 15, 2020); Special Order of the Chief Justice, Order No. 8183 (August 6, 2020); Special Order of the Chief Justice, Order No. 8194 (October 29, 2020); Special Order of the Chief Justice, Order No. 8210 (November 13, 2020); Special Order of the Chief Justice, Order No. 8213 (November 25, 2020); Special Order of the Chief Justice, Order No. 8235 (February 8, 2021); Special Order of the Chief Justice, Order No. 8242 (March 1, 2021).

a. The requests of the parties and victim(s);

b. The age of the case;

c. Whether the defendant is in custody;

d. The classification of any charged offense(s)

e. The number of other required participants, including victims, custodial officers, interpreters, investigators, or other lawyers;

f. The facilities available for the trial or proceeding;

g. The parties' agreements to jury selection procedures that promote the safety of the proceeding such as a reduced jury size, videoconference jury selection, or a reduction in peremptory challenges;

h. The prejudice suffered by any party;

i. The defendant's access to counsel;

j. Any special transportation requirements;

k. Any local quarantine requirements or other health mandates;

l. The COVID-19 case counts and risk levelsfor the area or location; and

m. Any special health considerations for the trial participants.

On March 1, 2021, the Chief Justice issued Special Order No. 8242, which provides that "misdemeanor jury trials may resume on April 19, 2021 under the direction of the presiding judge" and "[f]elony jury trials remain generally suspended until at least

June 1, 2021."[3] Special Order No. 8242 also includes provisions similar to the ones quoted above, which permit litigants to request an in-person jury trial during a period of general suspension provided that request is "consistent with public health."[4]

L.B.'s juvenile delinquency case

In June 2019, L.B. was arrested and charged as a delinquent minor with first-degree murder, conspiracy to commit first-degree murder, and second-degree murder for allegedly participating in the murder of Cynthia Hoffman, which took place near Thunderbird Falls in Chugiak, Alaska on June 2, 2019. At the time of her arrest, L.B. was fifteen years old.

According to the pleadings, L.B. was originally held in custody at the McLaughlin Youth Facility. In April 2020, she was released pursuant to a restrictive conduct agreement that requires, *inter alia*, GPS monitoring and third-party custodian supervision. Her trial was postponed in accordance with the special orders of the Chief Justice described above.

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[3] Special Order No. 8242 also provides that presiding judges should consider suspending misdemeanor trials "when the average daily case rate over 14 days as reported by the Alaska Department of Health and Social Services rises above 20-30 cases per 100,000 population or the local risk level is otherwise seriously elevated."

[4] The only apparent differences between the procedures outlined in Special Order No. 8235 and the procedures outlined in Special Order 8242 is that subsection (g) — "The parties' agreements to jury selection procedures that promote the safety of the proceeding such as a reduced jury size, videoconference jury selection, or a reduction in peremptory challenges" — has been deleted as one of the mandatory factors to be considered by the presiding judge.

By the end of 2020, the parties were ready for trial, and trial was apparently "tentatively" scheduled for March 22, 2021.

On February 22, 2021, the State filed a motion pursuant to Special Order 8235 requesting that the tentative March 22, 2021 trial date be kept and that an in-person jury trial be held in L.B.'s case. L.B. joined the motion. The victim (Cynthia Hoffman's father) also joined the request. The motion highlighted the age of the case (2 years) and the significant prejudice that results from delaying a juvenile delinquency case, particularly a case with as serious charges as this one. The parties anticipated that the trial would take eight to twelve days for trial with additional time for jury voir dire. The parties also anticipated that trial would require approximately twenty-five to twenty-nine people in the courtroom.[5] At the time the request was made, the Municipality of Anchorage had a fifteen-person limit for any indoor gatherings.[6]

On March 4, the trial court issued findings to the presiding judge recommending that the joint motion for an in-person trial be denied. The trial court found, *inter alia*, that holding the trial would violate the Municipality's fifteen-person limit. The court also found that there were no facilities available that could safely accommodate the number of participants the trial would require.

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[5] This figure includes the judge, the clerk, two lawyers per side, L.B., L.B.'s mother, the defense investigator, Cynthia Hoffman's father, one or two family friends as support persons, the attorney for the father from the Office of Victim's Rights, a juvenile probation officer, a detective and fourteen jurors.

[6] *See*, Municipality of Anchorage Emergency Order No. EO-18 at 3, https://www.muni.org/covid-19/documents/eo18%20signed.pdf.

The presiding judge adopted the trial court's findings and recommendations and issued an order denying the request. The order noted that the motion could be renewed "if the request is consistent with public health."

On the same day that the presiding judge denied the motion, the Municipality issued a new emergency order increasing the number of persons permitted in indoor gatherings to thirty-five people, beginning on March 8, 2021.[7] L.B. provided notice of this change to the trial court, who treated the notice as a motion to reconsider.

In response to the motion to reconsider, the trial court issued new findings supplementing its previous findings. The trial court found that the number of participants that would be required for L.B.'s trial still weighed heavily against granting the joint motion for an in-person trial. The court acknowledged that there was one courtroom — Courtroom 30 in the Boney Courthouse — that could accommodate the anticipated number of people with sufficient spacing. But the court noted that the alert level for the Municipality of Anchorage still remained "high," with a case rate of 15 per 100,000. And the court found that "[s]tarting a three to four-week jury trial in Anchorage with a near maximum capacity courtroom when COVID-19 cases are at alert level high is not advisable for public health." The court also noted that the most recent special order by the Chief Justice had authorized misdemeanor trials (but not felony trials) to begin on April 19, 2021 because misdemeanor cases "present the lowest risk of exposure." The court found that, in contrast, "[h]olding a felony trial at this time with twice the number of jurors and maximizing the capacity of one of the largest courtrooms in the state does not appear to be consistent with the goal of starting trials with a lower

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[7] Municipality of Anchorage Emergency Order No. EO-19, https://www.muni.org/covid-19/documents/final%20signed%20eo19.pdf.

risk of exposure." The court therefore recommended that the presiding judge deny the motion for reconsideration.

The presiding judge agreed with this recommendation and issued a second order denying the joint motion for an in-person trial. The order noted that the Anchorage rate of cases had increased to 16.3 per 100,000 and that the neighboring Matanuska Susitna Borough had a case rate of 38.4 per 100,000.

This emergency petition followed.

Why we agree with the parties that multiple factors weigh in favor of granting the joint motion for an in-person trial in this case

In her petition, L.B. lists a number of factors that weigh in favor of proceeding to an in-person trial in her case. The State concurs in many of those reasons and also adds additional reasons why prejudice may result if an in-person trial does not occur in the near future.

We agree with the parties that there are many reasons to prevent any further delay in this case. First and foremost is the age of the case and the nature of the proceedings. As both parties emphasize, the underlying purposes of the juvenile justice system is thwarted when excessive delay occurs. The overall goal of Alaska's juvenile delinquency statutes is to "promote a balanced juvenile justice system in the state to protect the community, impose accountability for violations of law, and equip juvenile offenders with the skills needed to live responsibly and productively."[8] Among the stated purposes of the system is to "provide swift and consistent consequences for crimes committed by juveniles" and to "provide due process through which juvenile offenders,

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[8] AS 47.12.010(a).

victims, parents, and guardians are assured fair legal proceedings during which constitutional and other legal rights are recognized and enforced."[9]

This case is already two years old. At the time of arrest, L.B. was fifteen years old. She is now seventeen years old. As the State points out, if L.B. is adjudicated a delinquent minor on any of the charges she faces, there will be only limited time for the rehabilitative and societal aims of the juvenile justice system to be met. And in the interim, L.B. will have spent many of her formative teenage years in limbo, subject to highly restrictive release conditions and without resolution of the very serious charges against her.[10]

A related concern that weighs in favor of proceeding to an in-person trial is consideration of L.B.'s speedy trial rights. In *R.D.S.M. v. Intake Officer*, the Alaska Supreme Court held that juveniles have constitutional speedy trial rights under the Alaska Constitution.[11] Other jurisdictions have held likewise and have further held that

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[9] AS 47.12.010(b)(4), (9).

[10] *Cf. P.V. v. District Court*, 609 P.2d 110, 112 (Colo. 1980) ("It is our view that the speedy resolution of juvenile proceedings brings about more significant benefits to a child and to society than are accrued through application of speedy trial rules in adult proceedings. Certainly the average juvenile is far more vulnerable to psychological harm during the pretrial period than the average adult would be. In addition, it cannot be denied that a juvenile suffers equally with an adult when the delay of proceedings impairs his ability to present his defense.").

[11] *R.D.S.M. v. Intake Officer*, 565 P.2d 855, 857 (Alaska 1977) ("A minor who is the subject of delinquency proceedings, which could result in his incarceration, is entitled to many of the same rights protecting an adult charged with a criminal offense. We readily agree, as does the state, that those rights include the right to a speedy trial." (internal citations omitted)); *see also B.E. v. State*, 1993 WL 13156707, at *6-7 (Alaska App. Apr. 28, 1993)

(continued...)

the United States Supreme Court's balancing test in *Barker v. Wingo* governs juvenile speedy trial claims.[12] Under the *Barker v. Wingo* balancing test, the court must consider four factors when assessing a speedy trial claim: (1) the length of the delay; (2) the

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[11] (...continued)
(unpublished) (citing *R.D.S.M.* for the proposition that the right to speedy trial under the Alaska Constitution applies to delinquency proceedings and applying the *Barker v. Wingo*, 407 U.S. 514, 530 (1972) four-factor test to a juvenile's speedy trial claim).

[12] *See In re Thomas J.*, 811 A.2d 310, 322-23 (Md. App. 2002) (holding that while Sixth Amendment speedy trial right was not applicable to juvenile proceedings, due process right of fundamental fairness does apply and includes right to speedy trial, to be determined by use of the *Barker v. Wingo* balancing test); *see also P. V. v. District Court*, 609 P.2d 110, 111 (Colo. 1980) (holding that statutory and constitutional speedy trial requirements apply to juvenile proceedings); *In re D.H.*, 666 A.2d 462, 465 (D.C. App. 1995) (holding that a juvenile has "a due process right to a fair trial, including a speedy one"); *In Interest of C. T. F.*, 316 N.W.2d 865, 868 (Iowa 1982) (concluding that constitutional right to speedy trial is applicable to delinquency proceedings); *In re A.G.*, 47 P.3d 831, 834, 836 (Mont. 2002) (holding that juveniles have constitutional right to speedy trial and remanding case for determination of whether juvenile was prejudiced by 455-day delay); *Matter of Darcy S.*, 936 P.2d 888, 893 (N.M. App. 1997) (holding that constitutional speedy trial guarantee applicable to juvenile proceedings); *In re Benjamin L.*, 708 N.E.2d 156, 159-60 (N.Y. 1999) (holding that juveniles have a right to speedy trial under state constitution); *In re Eric A.L.*, 153 P.3d 32. 34-35 (Nev. 2007) (holding that juveniles have constitutional and statutory right to speedy trial); *Commonwealth v. Dallenbach*, 729 A.2d 1218, 1222 (Pa. Super. Ct. 1999) (juveniles have due process right to speedy trial but not time-specific speedy trial guarantee provided in rules of criminal procedure); *State v. Jones,* 521 N.W.2d 662, 668 (S.D. 1994) (applying the *Barker v. Wingo* factors after holding that the Due Process clause of the Fourteenth Amendment and Article VI, § 7, of the South Dakota Constitution provide juveniles with the right to a speedy trial). *But see In Interest of T.K.*, 731 P.2d 887 (Kan. App. 1987) (concluding that constitutional right to speedy trial inapplicable to juvenile proceedings).

reason for the delay; (3) the accused's assertion of the right; and (4) the prejudice to the accused.[13]

In the current case, the parties have not briefed the applicability of the *Barker v. Wingo* balancing test; nor have they directly analyzed the *Barker* factors. We therefore do not address those factors in this order. But we consider this issue an important one that we expect to see addressed in any future motion for an in-person jury trial in this case. We also note that, although Alaska Criminal Rule 45 does not apply to juvenile delinquency proceedings, the Alaska Supreme Court has nevertheless characterized it as "a valuable guide in determining whether there has been an impermissible delay" in a juvenile case.[14]

In addition to the potential prejudice to the juvenile's rights and the State's interests that may result from further extended delay in this case, we also note the importance of the victim's rights to our analysis. Alaska Statute 47.12.010(b)(12) provides that one of the purposes of the juvenile justice system is to "ensure that victims and witnesses of crimes committed by juveniles are afforded the same rights as victims and witnesses of crimes committed by adults."[15] Here, the victim's father, who is

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[13] *Barker v. Wingo*, 407 U.S. 514, 530-532 (1972).

[14] *R.D.S.M.*, 565 P.2d at 858 n.13.

[15] *See also* AS 47.12.010(b)(8) (stating that one of the purposes of the juvenile statutes is to "ensure that victims, witnesses, parents, foster parents, guardians, juvenile offenders, and all other interested parties are treated with dignity, respect, courtesy, and sensitivity throughout all legal proceedings").

considered a victim in his own right,[16] has joined the request for an in-person trial and his interests and rights weigh in favor of limiting any further delay.

As the parties also point out, there are a number of practical concerns that weigh in favor of proceeding to an in-person trial in this case. Under the most recent special order of the Chief Justice, misdemeanor jury trials are set to begin on April 19, 2021 and felony jury trials are likely to begin some time after June 1, 2021.[17] Because of the pandemic, there is a significant backlog of adult criminal cases that will need to be scheduled and tried as soon as it is practically feasible to do so. One advantage that this case has over adult criminal cases is that juvenile delinquency cases are generally closed to the public, and therefore the logistics of accommodating the public are not at issue here.[18]

The parties have also expressed what appear to be legitimate concerns that if this case does not go to trial soon, it may be further delayed as adult criminal cases with stricter Rule 45 deadlines are likely to be given priority once the suspension on jury trials is fully lifted. Indeed, this appears to be a very real concern, given the fact that it appears that there is only one courtroom in Anchorage (Courtroom 30 in the Boney Courthouse) that is large enough to accommodate the number of participants that this juvenile trial will likely require. The parties are also correct that proceeding to trial in this case before the suspension on other jury trials is lifted will ensure that the lawyers,

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[16] *See* AS 47.12.990(16); AS 12.55.185(19)(B)(ii).

[17] Special Order No. 8242.

[18] *See* 47.12.110(a), (d).

judge, and courtroom involved in this case will be available for adult criminal cases with Rule 45 deadlines when jury trials begin in earnest.

Lastly, we note that many of the barriers that previously prevented in-person jury trials have been lifted. The State has allowed the public health emergency declaration to expire, and the municipal public health measures that were in place only a few weeks ago are now much less restrictive.[19] Notably, when the motion in this case was first denied, there was still an emergency Municipality order that limited in-person gatherings to fifteen people.[20] That order has since been superseded by a new emergency order that limits in-person gatherings to thirty-five people and that also makes exceptions for constitutionally protected activities such as church services.[21]

We further note that the case numbers in Anchorage have generally been decreasing, and Alaska is among the leading states in *per capita* COVID-19

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[19] *See* Alaska Department of Health and Human Services, State of Alaska's Declaration of Public Health Disaster Emergency http://dhss.alaska.gov/News/Pages/2021/20210218-DDAlert.aspx (announcing end of emergency declaration); *see also* KTOO News, *Vaccines and safety measures hang in the balance as Alaska lawmakers allow COVID-19 response power to expire*, Alaska Public Media, February 15, 2021, https://www.alaskapublic.org/2021/02/15/vaccines-and-safety-measures-hang-in-the-balance-as-alaska-lawmakers-allow-covid-19-response-powers-to-expire/ (noting "[s]ome 200 regulations that had been suspended will go back into effect, interfering with everything from telemedicine to curbside alcohol pickup to Alaskans aging out of the foster care system").

[20] *See* Municipality of Anchorage Emergency Order No. EO-18 at 3, https://www.muni.org/covid-19/documents/eo18%20signed.pdf.

[21] *See* Municipality of Anchorage Emergency Order No. EO-19, https://www.muni.org/covid-19/documents/final%20signed%20eo19.pdf.

vaccinations.[22] As of March 9, 2021, all Alaskans over sisteen years old are now eligible for a vaccine.[23] According to the CDC guidelines, a person is "fully vaccinated" from COVID-19 two weeks after their second shot.[24] This suggests that, by mid-April, a good portion of the trial participants will likely be fully vaccinated and have some form of immunity against the virus.

Why we nevertheless conclude that the presiding judge's denial of the motion was not an abuse of discretion given the record currently before us

Although we agree with the parties that there are many good reasons for proceeding with an in-person jury trial in this case, we also recognize the very difficult task facing the presiding judge who must balance the serious public health concerns

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[22] *See* Alaska Department of Health and Human Services, Alaska COVID-19 Information Hub, https://alaska-coronavirus-vaccine-outreach-alaska-dhss.hub.arcgis.com/ (charts showing case number decreasing); N.Y. Times, See How the Vaccine Rollout Is Going in Your State, N.Y. Times, March 23, 2021. https://www.nytimes.com/interactive/2020/us/covid-19-vaccine-doses.html (providing most recent comparison of states' per capita COVID-19 vaccination rates, which shows Alaska with the second most per capita vaccinations).

[23] Office of Governor Mike Dunleavy, Dunleavy Announces COVID-19 Vaccine Available to All Alaskans, https://gov.alaska.gov/newsroom/2021/03/09/dunleavy-announces-covid-19-vaccine- available-to-all-alaskans/; Alaska Department of Health and Human Services, COVID-19 Vaccine Status Update, http://dhss.alaska.gov/dph/epi/id/pages/COVID-19/vaccine.aspx.

[24] Center for Disease Control, When You've Been Fully Vaccinated, https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html (stating "[p]eople are considered fully vaccinated: 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or 2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine") (formatting altered).

created by the COVID-19 pandemic against the various rights and interests of the parties and the victim. There is no easy answer to the dilemma created by the current unprecedented circumstances, and the situation is constantly changing as case numbers rise and fall and emergency orders are enacted and then superseded by new emergency orders.

We agree with the State that our review in this case is, by necessity, deferential as the presiding judge is best situated to assess the capability of the court system to accommodate the various public health concerns that are raised by having an in-person trial in this case. The abuse of discretion standard of review is applicable to situations where "(a) the law does not specify a particular 'right' answer or response to the situation, but instead only specifies the factors or criteria that a judge should consider, and (b) reasonable judges, given the same facts and applying the correct criteria, might come to differing conclusions about how to deal with the problem."[25] And, as a general matter, we will only find an abuse of discretion if we conclude that the trial court's decision was "arbitrary, capricious, manifestly unreasonable, or stemmed from [an] improper motive."[26]

We conclude that we cannot find an abuse of discretion here. As already noted, when the initial request for an in-person jury trial was made, the Municipality still had a fifteen-person limit to in-person gatherings. Moreover, even after that limit was

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[25] *Booth v. State*, 251 P.3d 369, 373 (Alaska App. 2011) (explaining that the abuse of discretion standard of review applies where trial court judges exercise discretion and "reach a decision by considering and weighing various factors, and then doing what seems most fair under the circumstances").

[26] *Wahl v. State*, 441 P.3d 424, 430 (Alaska 2019) (quoting *Lindbo v. Colaska, Inc.*, 414 P.3d 646, 651 (Alaska 2018)).

extended to thirty-five people, the case numbers in Anchorage continue to be high and Anchorage still remains on a "high" alert level with regard to community transmission of the coronavirus.[27] In addition, as the presiding judge's order on the motion for reconsideration notes, the case numbers in the neighboring Matanuska-Susitna Borough are alarmingly high.

Indeed, although the most recent Special Order of the Chief Justice has lifted the suspension on misdemeanor trials as of April 19, 2021, the order also states that presiding judges should consider suspending misdemeanor trials "when the average daily case rate over 14 days as reported by the Alaska Department of Health and Social Services rises above 20-30 cases per 100,000 population or the local risk level is otherwise seriously elevated."[28] At the time the presiding judge denied the motion for reconsideration, the average daily case rate over fourteen days in Anchorage was close to that baseline at 16.34 per 100,000, and the average daily case rate over fourteen days in the neighboring Matanuska-Susitna Borough was well over that baseline at 38.34 per 100,000. These numbers have not materially changed since that order was issued.[29]

We also note another consideration that may have factored into the trial judge's recommendations and the presiding judge's decision. The pleadings indicate that

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[27] *See* Alaska Department of Health and Human Services, Alaska's COVID-19 Alert Levels, http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/alertlevels.aspx/ (visited March 24, 2021).

[28] Special Order of the Chief Justice, Order No. 8242 (March 1, 2021).

[29] *See* Alaska Department of Health and Human Services, Alaska COVID-19 Information Hub, https://alaska-coronavirus-vaccine-outreach-alaska-dhss.hub.arcgis.com/ (case rate of 18.56 per 100,000 for Anchorage and 38.48 per 100,000 in Matanuska-Susitna Borough as of March 24, 2021).

one of the assigned district attorneys will be traveling out of state from April 8 to April 12, and the presiding judge may reasonably have been concerned about the disruption and public health concerns that such travel may create.

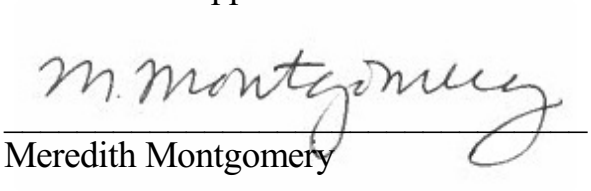
Lastly, we note that while the parties have indicated their "willingness" to use technology to mitigate against the public health concerns created by voir dire and an in-person trial, there has been very little specifics provided regarding what exactly that would entail. For example, there appears to be some disagreement between the parties regarding who should be in the courtroom during trial, and it seems possible that at least some of the people identified (such as the juvenile probation officer) could potentially be accommodated through watching the proceedings on closed circuit television or some other technological means. Likewise, the specifics of how voir dire will be conducted have not been spelled out. We recognize that many of these logistics require the court system's participation in determining what is feasible and acceptable under the circumstances, and we encourage the parties and the court system to engage in what may be fruitful discussions regarding how the needs and interests of both the public health and the parties can be accommodated in the near future.

Conclusion

Although we agree with the parties that there are many reasons to avoid further delay in holding the in-person jury trial in this juvenile case, we ultimately conclude that the presiding judge did not abuse his discretion when he denied the joint motion requesting that trial begin on March 22, 2021. Accordingly, we AFFIRM the presiding judge's order.

Entered at the direction of the Court.

Clerk of the Appellate Courts



Meredith Montgomery

cc: Presiding Judge Morse
Judge Peterson
Trial Court Clerk - Anchorage

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