

**Hamre, John G.**

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**From:** Gruman, Mark E.  
**Sent:** Monday, August 08, 2011 12:11 PM  
**To:** Hamre, John G.  
**Subject:** Fwd: Notice of Appeal - Dakota Resource Council v. ND Public Service Commission et al., Supreme Court No. 20110226

Begin forwarded message:

**From:** "Thompson, Jeanene" <JThompson@ndcourts.gov>  
**Date:** August 8, 2011 11:00:54 AM EDT  
**To:** "derrick@baumstarkbraaten.com" <derrick@baumstarkbraaten.com>  
**Cc:** "bbjella@crowleyfleck.com" <bbjella@crowleyfleck.com>, "Erickson, Ladd R." <lre Erickson@nd.gov>, "Gruman, Mark E." <mgruman@nd.gov>, "Smith, Zac B." <zasmith@nd.gov>, "(COC) 08 Burleigh Civil Clerk" <08CivilClerk@ndcourts.gov>  
**Subject:** Notice of Appeal - Dakota Resource Council v. ND Public Service Commission et al., Supreme Court No. 20110226

*SUPREME COURT OF NORTH DAKOTA  
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August 8, 2011

**Via E-mail Transmission Only:**

Derrick L. Braaten  
Attorney at Law  
222 N. 4th St.  
Bismarck, ND 58501-4004

RE: Dakota Resource Council v. ND Public Service Commission et al.  
Supreme Court No. 20110226  
Burleigh Co. No. 10-C-02329

I received a copy of the Notice of Appeal in this matter which was filed in the trial court on August 5, 2011. The \$125 filing fee is due in this office no later than August 12, 2011.

According to the Rules of Appellate Procedure, the clerk of the trial court shall certify the record on appeal to my office by September 4, 2011.

86 RC-08-640 Filed: 8/8/2011 Pages: 2  
SC APPEAL - Email letter re Notice of Appeal to the  
Supreme Court and required filings

**By copy of this letter, I am requesting Mark Gruman to see that Rule 10(c), N.D.R.App.P., is complied with no later than August 18, 2011.** Rule 10(c) states that in an appeal of the determination of an administrative agency, the agency shall file a diskette of the transcript or electronically transmit the transcript to the Supreme Court clerk unless the agency certifies the transcript was not prepared on a computer or word processor. The file does not indicate whether the Appellant filed an Order for Transcript in accordance with the rules. If an Order for Transcript was not filed with the Notice of Appeal, the Appellant's brief is due in this office 40 days after the Notice of Appeal was filed in the trial court. According to my calculation, the 40th day expires September 14, 2011.

Sincerely yours,

Jeanene Thompson  
Deputy Clerk  
North Dakota Supreme Court

pc: Mark E. Gruman  
Ladd R. Erickson, State's Attorney  
Brian R. Bjella  
Zachary B. Smith  
Debra Simenson, Clerk of District Court

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