

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

JUDGMENT

Supreme Court No. 20160046
Burleigh County Case No. 2015-CV-01056

Appeal from the district court for Burleigh County.

Casey Voigt,

Appellant

v.

**North Dakota Public Service Commission and Coyote Creek
Mining Company, L.L.C.,**

Appellees

[¶1] This appeal having been heard by the Court at the September 2016 Term before:

[¶2] Chief Justice Gerald W. Vandewalle, Justice Dale V. Sandstrom, Justice Carol Ronning Kapsner, Justice Daniel J. Crothers, and Lisa Fair McEvers. The Honorable Jerod E. Tufte did not participate in the decision. Surrogate Judge Dale V. Sandstrom, participating.

[¶3] and the Court having considered the appeal, it is ORDERED AND ADJUDGED that the judgment of the district court is AFFIRMED.

IT IS FURTHER ORDERED AND ADJUDGED that North Dakota Public Service Commission and Coyote Creek Mining Company, L.L.C. have and recover from Casey Voigt costs and disbursements on this appeal under Rule 39, N.D.R.App.P., to be taxed and allowed in the court below.

[¶4] This judgment, together with the opinion of the Court filed this date, constitutes the mandate of the Supreme Court on the date it is issued to the district court under N.D.R.App.P. 40.

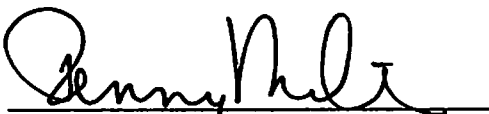
Dated: March 30, 2017



By the Court:


Chief Justice

ATTEST:


Clerk