

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

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Casey Voigt and Julie Voigt,	)	
	)	
Appellants,	)	Case No: 08-2023-CV-01338
	)	
v.	)	
	)	<b>DEMAND FOR CHANGE OF JUDGE</b>
North Dakota Public Service Commission	)	
and Coyote Creek Mining Company, LLC,	)	
	)	
Appellees.	)	
	)	

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[¶1] Casey Voigt and Julie Voigt, by and through their attorney, Derrick Braaten, demands a change of judge pursuant to N.D.C.C. § 29-15-21.

[¶2] This demand for change of judge is filed in good faith and not for purposes of delay. The nature of this action is an appeal from the May 9, 2023 grade approvals designated as COY-035, COY-036, and COY-037 by the North Dakota Public Service Commission. The judge sought to be disqualified is the Honorable Daniel Borgen. I certify that Judge Borgen has not ruled upon any matter pertaining to this action or proceeding in which the moving party was heard or had an opportunity to be heard.

[¶3] I further certify that I have permission of Casey Voigt and Julie Voigt to file this demand for change of judge and a copy of this demand for change of judge has been served on the North Dakota Public Service Commission, Coyote Creek Mining Company, LLC and Attorney General Drew Wrigley and by mailing a copy of the demand to Casey Voigt and Julie Voigt.

96 RC-22-233 Filed 06/16/2023 Pages: 2  
APPEAL - Demand for Change of Judge  
Casey and Julie Voigt  
Derrick Braaten, Braaten Law Firm

DATED this 16<sup>th</sup> day of June, 2023.

**BRAATEN LAW FIRM**

*/s/ Derrick Braaten*

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