

In the Supreme Court of the State of Alaska

William S. Bigley,

Appellant,

v.

Alaska Psychiatric Institute,

Appellee.

Supreme Court No. **S-13116**

Order

Date of Order: **May 22, 2008**

Trial Court Case # 3AN-08-00493PR

Appellant has submitted in support of his emergency motion for stay the May 20, 2008 affidavit of Dr. Grace Jackson; appellee has, in responding to the stay motion, asked this court to strike Dr. Jackson’s May 20 affidavit on the ground it was prepared after the superior court ruled and on the implicit ground it simply summarizes (“encapsulates”) the hearing testimony. Because the affidavit was not before the superior court,

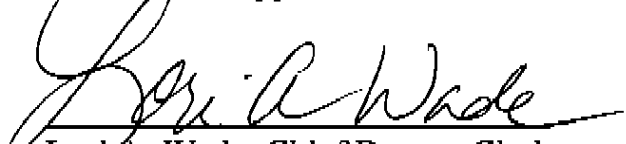
IT IS ORDERED:

Appellant may have until **9:30 AM Friday May 23, 2008** to serve and file an opposition to the motion to strike, or, if appellant asserts that the May 20 affidavit contains new evidence that was not proffered to the superior court before it entered its May 19 findings and order, to explain why the stay issue should not be remanded to the superior court for consideration of the May 20 affidavit.

Entered at the direction of an individual justice.

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Clerk of the Appellate Courts



Lori A. Wade, Chief Deputy Clerk

cc: Judge Morse by fax
Trial Court Clerk by fax

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