Law Project for Psychiatric Rights James B. Gottstein, Esq. 406 G Street, Suite 206 Anchorage, Alaska 99501 (907) 274-7686 Attorney for Appellant

RECEIVED

FEB 1 4 2014

APPELLATE COURTS
OF THE
STATE OF ALASKA

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ITMO the Hospitalization of D.G.)	Supreme Court No. S-15100
Trial Court Case No. 3AN 13-454PR		

PETITION FOR REHEARING

Pursuant to Appellate Rule 506(a)(2), on the grounds that the Court has overlooked a material fact, D.G., respectfully requests rehearing of this Court's February 7, 2014, Opinion in this case.

In its Opinion, the Court directed the Superior Court to change the title of the ex parté order because the order was for further evaluation not commitment. D.G. respectfully suggests that in addition to the title, the language, "It is ordered that the Petition for Involuntary Commitment for Evaluation is GRANTED" in the body of the Order should also be changed for the same reasons the title was ordered to be changed.

¹ See, p. 2, n. 4, p. 12 & p. 22.

² Exc. 7, emphasis in original.

³ That D.G. is not seeking rehearing of the Due Process part of the decision should not be construed as agreement with it; just that rehearing is not sought as to it because that issue has been fully considered by the Court.

The problematic nature of this language was addressed at page 4 of D.G.'s Reply Brief and noted at oral argument.⁴

Tracking AS 47.30.710(b), possible replacement language could be, "It is ordered that Respondent be hospitalized for further evaluation."⁵

LAW PROJECT FOR PSYCHIATRIC RIGHTS

Bv:

James B. Gottstein, Esq., Alaska Bar No. 7811100

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed to Laura Fox

James B. Gottstein, Esq.,

⁴ See, 34:20 of the Gavel to Gavel video, http://www.360north.org/gavel-archives/?event_id=2147483647_2013101051.

⁵ Form MC 305 is not on the Alaska Court System's Website so D.G. does not know what the current form provides. However, since the form of the petition has been changed, presumably the new form has also changed the problem language in the body of the order.