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Attorney for Appellant

IN THE SUPREME COURT FOR THE STATE OF ALASKA

William S. Bigley,)
Appellant,) Supreme Court No. S-13116
)
vs.)
)
ALASKA PSYCHIATRIC INSTITUTE)
Appellee.)
)

Trial Court Case No. 3AN 08-493 P/R

**OPPOSITION TO STATE OF ALASKA'S MOTION TO
SUPPLEMENT THE RECORD ON APPEAL**

Appellant opposes the motion by Appellee Alaska Psychiatric Institute (API) to supplement the record in this case (Motion) to include the November 25, 2008, Order of the Superior Court in *In Re: Bigley*, Case No. 3AN 08-1252PR (Order). It does not appear to Appellant that events subsequent to the Superior Court's decision in the case on appeal here can possibly be relevant to whether or not the Superior Court's decision on appeal here was correct. Appellant has appealed the Order, disputing various legal conclusions contained therein,¹ some of which API cites in its brief. By asking to supplement the record with the Order, API is seeking to cut off Appellant's right to

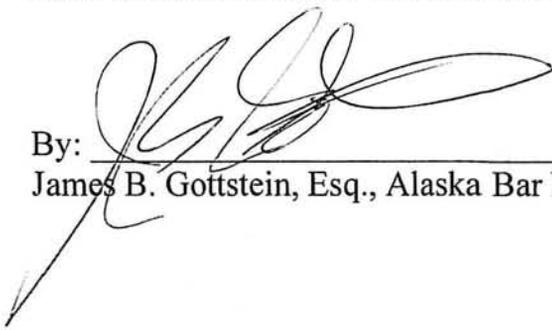
¹ *Bigley v. Alaska Psychiatric Institute*, Alaska Supreme Court Case No. S-13353.

challenge these conclusions by presenting them here without Appellant being in a position to challenge them.

However, Appellant does not object to this Court taking judicial notice of the fact that the Order exists for the purpose of recognizing this appeal is not moot.

Dated this 5th day of December, 2008, at Anchorage, Alaska.

LAW PROJECT FOR PSYCHIATRIC RIGHTS

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IN THE SUPREME COURT FOR THE STATE OF ALASKA

WILLIAM S. BIGLEY,) Supreme Court No. S-13116
Appellant,)
)
vs.)
) **CERTIFICATE OF SERVICE**
ALASKA PSYCHIATRIC INSTITUTE)
Appellee.)
_____)
Trial Court Case No. 3AN 08-00493 PS

I hereby certify that on this date, true and correct copies of:

- (1) Opposition to State of Alaska's Motion to Supplement the Record on Appeal;
- (2) and this Certificate of Service

have been served via U.S. Postal service on:

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I further certify that the font used in Opposition to State of Alaska's Motion to Supplement the Record on Appeal is Times New Roman 13 point.

Dated: December 5, 2008


Lisa E. Smith