

FILED

12/05/2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 16-0718

IN THE SUPREME COURT OF THE STATE OF MONTANA

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DEC 05 2016

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DONALD MALLO,

Petitioner,

v.

LEROY KIRKEGARD, Warden,

Respondent.

ORDER

Representing himself, Donald Mallo petitions this Court for habeas corpus relief. Mallo asserts that the Department of Corrections incorrectly calculated his sentence in a 1991 Madison County District Court Judgment and, thus, has extended his parole eligibility and discharge dates. Upon review of the petition, we deem it appropriate to require a response. Therefore,

IT IS ORDERED that the Attorney General and counsel for the Department of Corrections are granted thirty (30) days from the date of this Order in which to prepare, file, and serve a written response to the petition for writ of habeas corpus together with appropriate documentary exhibits and legal memorandum in support.

The Clerk of the Supreme Court is directed to provide a copy of this Order to the Attorney General, to the Department of Corrections, and to Petitioner personally.

DATED this 5th day of December, 2016.



Justice