

Filed 6/8/20 by Clerk of Supreme Court

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2020 ND 129

In the Matter of the Emelia Hirsch, June 9, 1994, Irrevocable Trust

Timothy Betz, Respondent and Appellee

v.

Emelia A. Hirsch, aka Emelia Hirsch, aka
Emilia Hirsch, Carolyn Twite and Duane Hirsch, Petitioners and Appellees

and

Marlene Betz, Interested Party and Appellant

No. 20200047

Appeal from the District Court of Burleigh County, South Central Judicial
District, the Honorable Gail Hagerty, Judge.

AFFIRMED.

Per Curiam.

Timothy R. Betz, self-represented, Fayetteville, NC, respondent and appellee;
submitted on brief.

Sheldon A. Smith, Bismarck, ND, for petitioners and appellees; submitted on
brief.

Marlene M. Betz, self-represented, Burnsville, MN, interested party and
appellant; submitted on brief.

Matter of Emelia Hirsch Trust
No. 20200047

Per Curiam.

[¶1] Marlene Betz appealed from a district court order denying her motion for relief from a prior order that reformed a trust. She also appealed from a district court pre-filing order prohibiting her from filing any new litigation or documents in existing litigation without first obtaining leave of court pursuant to N.D. Sup. Ct. Admin. R. 58.

[¶2] We affirmed the reformation order Betz seeks relief from in *Matter of Emelia Hirsch Trust*, 2009 ND 135, 770 N.W.2d 225. Several other attempts to have the reformation order revisited have been unsuccessful. See *Matter of Emelia Hirsch Trust*, 2019 ND 264, 935 N.W.2d 255; *Matter of Emelia Hirsch Trust*, 2017 ND 291, 904 N.W.2d 740; *Matter of Emelia Hirsch Trust*, 2016 ND 217, 888 N.W.2d 205; *Matter of Emelia Hirsch Trust*, 2014 ND 135, 848 N.W.2d 719; *Matter of Emelia Hirsch Trust*, 2013 ND 63, 832 N.W.2d 334.

[¶3] We affirm the order denying Betz’s motion for relief under N.D.R.App.P. 35.1(a)(1). We award double costs pursuant to N.D.R.App.P. 38.

[¶4] We affirm the N.D. Sup. Ct. Admin. R. 58 order under N.D.R.App.P. 35.1(a)(4).

[¶5] Gerald W. VandeWalle
Jerod E. Tufte
Lisa Fair McEvers
Daniel J. Crothers
Steven L. Marquart, D.J.

[¶6] The Honorable Steven L. Marquart, D.J., sitting in place of Jensen, C.J., disqualified.