

**In the
Indiana Supreme Court**



IN RE INDIANA NEWSPAPERS, INC.,)	Court of Appeals Cause No.
d/b/a THE INDIANAPOLIS STAR,)	49A02-1211-PL-898
Appellant,)	
)	
v.)	
)	
Jeffrey M. MILLER, <i>et al.</i> ,)	Marion Superior Court Cause No.
Appellees.)	49D07-1003-PL-14761

ORDER

On December 7, 2012, the Court of Appeals issued a published order deciding that the discovery order sought to be appealed by the Appellant, Indiana Newspapers, Inc., d/b/a The Indianapolis Star (“The Star”), is an interlocutory order and is not a final appealable judgment under the Trial Rules or Appellate Rules. Indiana Newspapers, Inc. v. Miller, --- N.E.2d ---, 2012 WL 6115100 (Ind. Ct. App. Dec. 7, 2012). The Court of Appeals determined that it lacks jurisdiction over this appeal and dismissed it. The Court of Appeals also determined that its temporary stay of the trial court’s order would remain in effect for another seven days and then automatically expire.

On December 13, 2012, The Star filed in the Court of Appeals a petition for rehearing and an emergency request to extend the stay. On December 14, 2012, the Court of Appeals denied The Star’s emergency request to extend the stay. The Star’s petition for rehearing remains pending in the Court of Appeals.

On December 17, 2012, The Star filed in the Supreme Court its “Appellant’s Verified Emergency Motion To Accept Jurisdiction Pursuant To Indiana Appellate Rule 56(A)” (“Verified Motion”), which asks this Court to assume jurisdiction pursuant to Appellate Rule 56(A), stay the trial court’s discovery order, and establish a briefing schedule. On December 19, the Appellees filed their response opposing The Star’s Verified Motion.

This Court, having considered the matter and being duly advised, hereby DENIES The Star's Verified Motion. Jurisdiction, to the extent it exists in this matter, remains with the Court of Appeals.

The Clerk is directed to send copies of this order to the Hon. Michael D. Keele, Judge, Marion Superior Court, Civil Division, Room 7; the Hon. Margret G. Robb, Chief Judge, Indiana Court of Appeals; Steve Lancaster, Administrator, Indiana Court of Appeals; Danielle Sheff, Deputy Administrator, Indiana Court of Appeals; and all counsel of record. The Clerk is further directed to post a copy of this order on the Court's website.

Done at Indianapolis, Indiana, this 20th day of December, 2012.

A handwritten signature in cursive script, reading "Brent E. Dickson", written over a horizontal line.

Brent E. Dickson
Chief Justice of Indiana

All Justices concur.