In the
Indiana Supreme Court

STATE OF INDIANA	)	**Supreme Court No. 85S00-0609-SJ-347**
	)	
vs.	)	
	)	**Case No. 85C01-0609-FD-133**
DAVID J. MAGLEY	)	**in the Wabash Circuit Court**

FILED
OCT 11 2006
CLERK OF THE
INDIANA SUPREME COURT
COURT OF APPEALS
AND TAX COURT

ORDER APPOINTING SPECIAL JUDGE

Comes now the Honorable Rosemary Higgins Burke, Special Judge of the Wabash Circuit Court in the above matter, and on her own motion recuses herself and remands this cause to the Court for appointment of a special judge.

And this Court, being duly advised, now finds that a special judge should be appointed to hear this matter in the Wabash Circuit Court pursuant to Ind. Criminal Rule 13(D).

IT IS, THEREFORE, ORDERED that the Honorable Jeffrey D. Todd is appointed as special judge to hear this matter in the Wabash Circuit Court. This order vests jurisdiction in Judge Todd. Pursuant to Ind.Trial Rule 79(K), an oath of office is not required.

The Clerk of this Court is directed to forward notice of this Order to the Hon. Rosemary Higgins Burke, Miami Circuit Court, 25 North Broadway, Peru, IN 46970; to the Hon. Jeffrey D. Todd, Grant Superior Court, 101 East Fourth Street, #306, Marion, IN 46952-4010; and to the Clerk of the Wabash Circuit Court.

The Clerk of the Wabash Circuit Court is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this 11th day of October, 2006.

RT Shepard

Randall T. Shepard
Chief Justice of Indiana