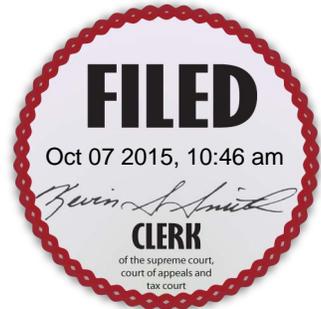


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In the
Indiana Supreme Court



No. 49S02-1505-CR-288

AADIL ASHFAQUE,

Appellant (Defendant below),

v.

STATE OF INDIANA,

Appellee (Plaintiff below).

Appeal from the Marion Superior Court, No. 49G14-1305-FD-29521
The Honorable Jose Salinas, Judge

On Petition to Transfer from the Indiana Court of Appeals, No. 49A02-1404-CR-286

October 7, 2015

Massa, Justice.

Aadil Ashfaque appeals the trial court's denial of his motion to dismiss charges of dealing in and possession of a synthetic drug, namely XLR11 [(1-(5-fluoropentyl)indol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone]. For the reasons set forth in our companion decision of Tiplick v. State, also issued today, we find no constitutional or statutory infirmity to these charges, but nevertheless dismiss them due to the inadequacy of the charging information, and remand to the trial court for all other proceedings consistent with that opinion.

Rush, C.J., and Dickson, Rucker, and David, JJ., concur.