FILED
MAR 12 2008

In the
Indiana Supreme Court

Delmas SEXTON, II Plaintiff	)	Supreme Court No. 02S00-0308-SJ-369
vs.	)	
Michael D. SWEET, City of New Haven Defendants	)	Case No. 02D01-0210-MI-39395 in the Allen Superior Court

ORDER GRANTING RELIEF FROM SPECIAL JUDGE ASSIGNMENT
AND APPOINTING SPECIAL JUDGE

On November 25, 2003, this Court issued an Order, subsequently amended on December 10, 2003, appointing the Hon. Stephen S. Spindler, Special Judge in the above matter. On February 15, 2008, Judge Spindler filed his Petition for Relief from Appointment as Special Judge. In his petition, Judge Spindler advises the Court that he is now retired and living outside the State of Indiana for six months each year. As such, he believes it is impossible to preside effectively over this case and he requests to be relieved from the appointment.

And this Court, being duly advised, now finds that Judge Spindler's petition should be granted and that a new special judge should be appointed for this case.

IT IS, THEREFORE, ORDERED that Judge Spindler's petition for relief from special judge assignment is hereby GRANTED and he is relieved as special judge in this matter.

IT IS, FURTHER ORDERED that the Honorable Thomas M. Hakes is appointed as special judge to hear this matter in the Allen Superior Court. This order vests jurisdiction in Judge Hakes. 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. Thomas M. Hakes, Huntington Circuit Court, 201 North Jefferson Street, #301, Huntington, IN 46750-2800; to the Hon. Stephen S. Spindler; and to the Clerk of the Allen Superior Court.

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

DONE at Indianapolis, Indiana, this 12th day of March, 2008.

~~Randall T. Shepard~~
~~Chief~~ Justice of Indiana

ACTING CHIEF JUSTICE