

In the Indiana Supreme Court

In re: Election Recount:

Senator Spencer R. Deery,
Appellant/Respondent/
Cross-Appellee,

v.

Paula K. Copenhaver,
Appellee/Petitioner/Cross-Appellant,

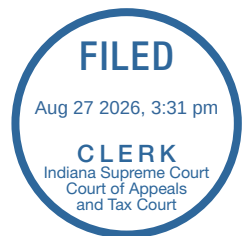
and

Secretary of State Diego Morales, Paul
Mullin, and Michael Claytor, as Members
of the Indiana Recount Commission,
Appellees.

Supreme Court Case No.
26S-EX-293

Court of Appeals Case No.
26A-EX-2271

Appeal from the Indiana Recount
Commission



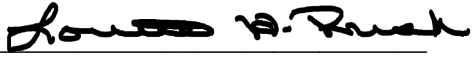
Order

On August 24, 2026, we granted Appellant's petition to transfer under Appellate Rule 56(A), set a briefing schedule, and scheduled oral argument for September 10. On August 25, we issued a revised briefing schedule providing for Appellee/Cross-Appellant to file a reply in support of her cross-appeal. Appellant now moves to file an oversized reply to the cross-appeal, asserting that he has been allowed 3,000 words to reply/respond to two briefs totaling 12,000 words.

Being duly advised, the Court GRANTS IN PART Appellant's motion and clarifies the briefing schedule set forth in the August 25 order:

- Appellant/Cross-Appellee's brief, which shall not exceed 6,000 words, shall be filed by **4:30 p.m. Friday, August 28**.
- Appellee/Cross-Appellant Copenhaver may file a brief, not exceeding 6,000 words, by **4:30 p.m. Tuesday, September 1**;
- Appellees Diego Morales, Paul Mullin, and Michael Claytor may file a brief, not exceeding 6,000 words, by **4:30 p.m. Tuesday, September 1**;
- Appellant/Cross-Appellee may file a single reply/response brief (1) not exceeding 3,000 words if only Appellee/Cross-Appellant Copenhaver files a brief; or (2) not exceeding 5,000 words if both Appellees file briefs, by **12:00 p.m. Thursday, September 3**; and
- Appellee/Cross-Appellant Copenhaver may file a single reply brief, not exceeding 3,000 words, by **12:00 p.m. Saturday, September 5**. Because September 5 is a non-

business day, *see* Ind. App. R. 25(A), Cross-Appellant's reply should also be emailed to original.actions@courts.in.gov when it is served on the parties.
Done at Indianapolis, Indiana, on 8/27/2026.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.