

In the
Indiana Supreme Court



MARION COUNTY ELECTION BOARD,)	Supreme Court Cause No.
)	49S00-0811-CV-586
Appellant,))
))
v.)	Court of Appeals Cause No.
)	49A02-0810-CV-979
Raymond J. SCHOETTLE, et al.,))
)	Trial Court Cause No.
Appellees.)	49C01-0810-PL-49131

ORDER

On October 31, 2008, the trial court entered an order granting an injunction and declaratory relief in this case. Appellant initiated this appeal, and on November 3, 2008, this Court granted transfer pursuant to Appellate Rule 56(A). Later, in response to an unopposed request, this Court granted Appellant a brief stay of this appeal to allow Appellant additional time to decide how to proceed.

Appellant next filed a "Report and Request to Continue Stay Pending Consideration of Motion to Remand" and a "Corrected Motion to Remand" pursuant to Appellate Rule 37, asking this Court to remand the case to the trial court without prejudice. Appellees do not oppose the requested remand. In fact, Appellant and Appellees have filed a "Joint Stipulation and Request for Relief Regarding Remand of All Parties," requesting "this Court to unconditionally remand this case to the trial court, but to retain jurisdiction to the extent that any subsequent appeal of a final judgment shall be to this Court." (Joint Stipulation at 3.)

Accordingly, the Court GRANTS the Corrected Motion to Remand, remands this case to the trial court without prejudice, and retains jurisdiction to the extent that any subsequent appeal of a final judgment in this case shall be to this Court.

The Clerk is directed to send a copy of this order to the Hon. Louis Rosenberg, Marion Circuit Court; the Hon. John G. Baker, 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.

Done at Indianapolis, Indiana, this 3rd day of March, 2009.

RT Shepard
Randall T. Shepard
Chief Justice of Indiana

All Justices concur.