

In the Indiana Supreme Court

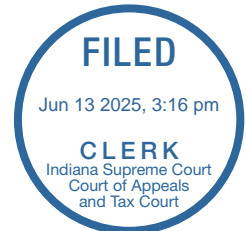
State of Indiana ex rel. John Mayhill,
Relator,

v.

Marion Superior Court 5, et al.,
Respondents.

Supreme Court Case No.
25S-OR-55

Trial Court Case No.
49D05-1911-CT-046876



Order

The Relator, by counsel, has filed a verified petition for a writ of mandamus seeking relief under the rules governing original actions. Respondents did not file a response.

Relator seeks a writ ordering the trial court to resume jurisdiction over the proceedings in *Mayhill v. Thoe, et al.* The defendants in the trial court filed a Trial Rule 53.1 praecipe on June 16, 2024, and the trial judge thereafter declined to exercise jurisdiction over the case.

On March 13, 2025, this Court ordered response briefing in this original action, which alleged that the proceedings were unreasonably delayed. Six days later, the trial clerk made a docket entry in *Mayhill v. Thoe* indicating the Trial Rule 53.1 praecipe had been forwarded to the Chief Administrative Officer as required by Rule 53.1(E). The Chief Administrative Officer issued an order declining to withdraw the case from the trial court on April 7, 2025, and the trial court then set a status hearing.

Contemporaneously with this order, this Court is issuing an opinion in *State ex rel. Thoe v. Marion Superior Court 5*, which withdraws the underlying proceedings from the trial judge under Trial Rule 53.1 and appoints a special judge. Being duly advised, the Court DISMISSES this original action as moot. No petitions for rehearing or motions to reconsider are permitted. Orig. Act. R. 5(C).

Done at Indianapolis, Indiana, on 6/13/2025.

Derek R. Molter
Acting Chief Justice of Indiana

All Justices concur except for Rush, C.J., who did not participate in the decision of this matter.