

In the  
Indiana Supreme Court



INDIANA NEWSPAPERS, INC.,	)	Supreme Court Cause No.
d/b/a THE INDIANAPOLIS STAR,	)	49S02-1305-PL-311
Appellant,	)	
	)	Court of Appeals Cause No.
v.	)	49A02-1211-PL-898
	)	
Jeffrey M. MILLER, <i>et al.</i> ,	)	Marion Superior Court Cause No.
Appellees.	)	49D07-1003-PL-14761

PUBLISHED ORDER

By an order on May 2, 2013, this Court granted a petition seeking transfer of jurisdiction from the Court of Appeals and allowed the filing of appellate briefs. Since then, the Appellant and Appellees have filed their briefs and appendices with this Court, and a transcript of trial court proceedings has been submitted. After further review, including consideration of points presented by counsel in their appellate briefs and at oral argument, and after discussion among the Justices in conference after the oral argument, the Court has determined that it should not assume jurisdiction over this appeal. Accordingly, the order granting transfer is VACATED, and transfer is hereby DENIED. The decision of the Court of Appeals, Indiana Newspapers, Inc. v. Miller, 980 N.E.2d 852 (Ind. Ct. App. 2012), *aff'd on reh'g* (Ind. Ct. App. 2013), is hereby REINSTATED as Court of Appeals authority. Pursuant to Appellate Rule 58(B), this appeal is at an end.

The Court DIRECTS the Clerk to certify this appeal as final and to send copies of this order to the Hon. Margret G. Robb, Chief Judge of the Court of Appeals; the Court of Appeals Administrator; and all counsel of record.

The Court further DIRECTS the Clerk to send a copy of this Order to LexisNexis and to Thomson/Reuters for publication on-line and in the bound volumes of this Court's decisions.

Done at Indianapolis, Indiana, on September 27, 2013.

/s/ Brent E. Dickson  
Brent E. Dickson  
Chief Justice of Indiana

Dickson, C.J., and Rucker, David, and Massa, JJ., concur.  
Rush, J., dissents from the denial of transfer.