

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

STATE OF OREGON,)	Jackson County Circuit
)	Court Nos. 995639MI
Plaintiff-Respondent,)	995869FE
)	
v.)	CA A112923 (Control)
)	CA A112924
THOMAS GEORGE LEES,)	ORDER VACATING DECISION
)	AND ORDER ALLOWING
Defendant-Appellant.)	SUPPLEMENTAL BRIEFING

Appellant has moved for leave to file a supplemental brief in this case. After reviewing the file, counsel has determined that Mr. O'Dell's brief adequately dealt with the issues it raised, but did not raise a necessary and appropriate issue. Therefore, appellant has moved to allow a supplemental brief rather than a substitute brief.

The motion is allowed. The Court's decision dated May 8, 2003, is vacated. The supplemental brief received August 24, 2004, is filed this date. Respondent's supplemental brief is due 21 days from the date of this order.

Mary J. Deits

CHIEF JUDGE

September 24, 2004

DATE

REPLIES SHOULD BE DIRECTED TO THE STATE COURT ADMIN., RECORDS SECTION, SUPREME COURT BLDG., 1163 STATE ST., SALEM, OR 97301-2563