

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,	)	Malheur County Circuit
	)	Court No. 02052654C
Plaintiff-Respondent,	)	
	)	
v.	)	CA A120036
	)	<b>ORDER ALLOWING MOTION TO</b>
JAMES PATRICK MCKNIGHT,	)	<b>VACATE DECISION; STRIKING</b>
	)	<b>OPENING BRIEF AND ALLOWING</b>
Defendant-Appellant.	)	<b>FILING OF AMENDED BRIEF</b>

Counsel for appellant has filed a motion to vacate the Court's decision dated October 8, 2003, to strike the opening brief filed June 3, 2003, by Daniel O'Dell and for leave to file an amended opening brief.

The motion is allowed. The decision dated October 8, 2003, is vacated, the opening brief filed on June 3, 2003, is stricken and appellant is allowed to file an amended opening brief. The amended opening brief received May 24, 2004, is filed this date.

Appellant has moved for leave to file a supplemental brief in this case. The motion is allowed. The supplemental brief received July 27, 2004, is filed this date. Respondent's brief in response to both the amended opening brief and the supplemental brief, is due 49 days from the date of this order.

Mary J. Deits

---

CHIEF JUDGE

August 5, 2004

---

DATE

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