

IN THE SUPREME COURT OF THE STATE OF OREGON

STATE OF OREGON,  
Plaintiff-Adverse Party,

v.

CESAR RODRIGUEZ VALENCIA,  
Defendant-Relator.

Wasco County Circuit Court  
1200012CR

S061909

**PEREMPTORY WRIT OF MANDAMUS AND APPELLATE JUDGMENT**

To: The Honorable Janet L. Stauffer, Circuit Court Judge for Wasco County:

The court has directed that a peremptory writ of mandamus issue.

WHEREFORE, in the name of the State of Oregon, you are commanded either (1) to amend the "Sell" order to confirm that the court used the correct evidentiary standard as identified in State v. Lopes, 355 Or 72, 322 P3d 512 (2014), or (2) to vacate the "Sell" order and rehear the matter, applying the appropriate evidentiary standard identified in Lopes.

Dated this 2nd day of June, 2014.

KINGSLEY W. CLICK  
State Court Administrator



6/2/2014  
10:10:02 AM

By: BECKY OSBORNE  
DIVISION DIRECTOR  
Authorized Representative of  
the State Court Administrator

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**DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS**

Prevailing party: Relator

No costs allowed

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Appellate Judgment Effective Date: June 2, 2014

SUPREME COURT

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REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,  
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563

c: Laura Graser  
Anna Marie Joyce  
Leigh A Salmon  
Hon. Janet L. Stauffer

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