

SUPREME COURT OF ARIZONA

STAR PUBLISHING CO., an Arizona) Arizona Supreme Court
corporation; and KIM SMITH,) No. CV-09-0091-PR
)
Petitioners,) Court of Appeals
) Division Two
v.) No. 2 CA-SA 09-0018
)
THE HONORABLE RICHARD FIELDS,) Pima County
JUDGE OF THE SUPERIOR COURT OF) Superior Court
THE STATE OF ARIZONA, in and for) No. CR20070973
the County of Pima,)
)
Respondent Judge,) **FILED 09/22/2009**
)
STATE OF ARIZONA, CHRISTOPHER)
MATHEW PAYNE,)
)
Real Parties in Interest.)
_____)

O R D E R

The "Petition for Review" [Petitioners Star Publishing/Smith] having been filed on April 06, 2009. After review and consideration,

IT IS ORDERED granting the Petition for Review.

IT IS FURTHER ORDERED remanding the case to the Court of Appeals, Division Two, to allow that Court to consider the pending "Motion for Leave to File the Second Motion for Reconsideration Based on Subsequent Events" and the "Motion for Reconsideration Based on Subsequent Events."

IT IS FURTHER ORDERED that the Court of Appeals, Division Two, shall retain the remaining record.

DATED this ____ day of September, 2009.

Rebecca White Berch
Chief Justice

TO:

Jeffrey P. Handler, Clerk, Court of Appeals, Division Two

Honorable Richard S. Fields

Rebecca A. McLean

Jacob R. Lines

D. Douglas Metcalf

Marjorie S. Becklund

adc