

In the  
**Indiana Supreme Court**

In re: Election Recount:

Senator Spencer R. Deery,  
Appellant/Respondent,

v.

Paula K. Copenhaver,  
Appellee/Petitioner,

and

Secretary of State Diego Morales, Paul  
Mullin, and Michael Claytor, as Members of  
the Indiana Recount Commission,  
Appellees.

Court of Appeals Case No.  
26A-EX-2271

Appeal from the Indiana Recount  
Commission



**Order**

Pending before the Court are Appellant's petition to transfer under Appellate Rule 56(A), Appellee Copenhaver's response opposing transfer, and Appellant's reply. Having considered the parties' submissions and being duly advised, the Court grants Appellant's motion for immediate transfer under Rule 56(A) and directs the Clerk to assign a Supreme Court case number, which shall be used for all filings in this appeal. This appeal, including any pending motions, shall proceed in this Court "as if it had been originally filed here." Ind. App. R. 56(A).

The Court further ORDERS that the parties adhere to the following briefing schedule: Appellant's brief shall be filed by **4:30 p.m. August 28**; Appellees' brief(s) shall be filed by **4:30 p.m. September 1**; and Appellant's reply brief shall be filed by **12:00 p.m. September 3**. The parties' opening briefs shall not exceed 6,000 words, while Appellant's reply brief shall not exceed 3,000 words. The Court further directs the Commission to prepare and file the record of proceedings, including the August 10<sup>th</sup> transcript and front-and-back images of each of the six contested ballots, no later than **4:30 p.m. August 27**. No extensions of time will be granted absent extraordinary circumstances. The Court will conduct oral argument at **11:15 a.m. on September 10** with further details provided by separate order.

Done at Indianapolis, Indiana, on 8/24/2026 .

Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.