

The Order of the Court is stated below:

Dated: February 13, 2019
03:31:59 PM

/s/ Thomas R. Lee
Associate Chief Justice



IN THE SUPREME COURT OF THE STATE OF UTAH

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State of Utah,
Respondent,
v.
Brian Newton,
Petitioner.

ORDER

Supreme Court Case No. 20180915-SC

Court of Appeals Case No. 20170205-CA

Trial Court Case No. 121905738

This matter is before the court upon a Petition for Writ of Certiorari, filed on November 13, 2018.

The Petition for Writ of Certiorari is granted as to the following issues:

1. Whether the Court of Appeals erred in affirming the district court's determination that it had not erroneously instructed the jury on the elements of rape.
2. Whether the Court of Appeals erred in affirming the district court's determination that the State did not violate the disclosure requirements of *Brady v. Maryland*, 373 U.S. 83, 87 (1963).

A briefing schedule will be established hereafter. Pursuant to Rule 2 of the Rules of Appellate Procedure, the Court suspends the provision of Rule 26(a) that permits the parties to stipulate to an extension of time to submit their briefs on the merits. The parties shall not be permitted to stipulate to an extension. The parties shall comply with the briefing schedule upon its issuance.

End of Order - Signature at the Top of the First Page