

The Order of the Court is stated below:

Dated: August 09, 2019  
12:42:24 PM

/s/ Thomas R. Lee  
Associate Chief Justice



**IN THE SUPREME COURT OF THE STATE OF UTAH**

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Larry McCloud,  
Petitioner & Cross-Respondent,  
v.  
State of Utah,  
Respondent & Cross-Petitioner.

**ORDER**  
  
Supreme Court Case No. 20190300-SC  
  
Court of Appeals Case No. 20170148-CA  
  
Trial Court Case No. 070500212

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This matter is before the court upon a Petition for Writ of Certiorari, filed on April 11, 2019 and the Cross-Petition for Writ of Certiorari, filed on May 30, 2019.

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

1. Whether the Court of Appeals erred in concluding that Petitioner's trial counsel did not provide ineffective assistance of counsel in declining to consult with and retain expert witnesses.
2. Whether the Court of Appeals erred in concluding that Petitioner failed to demonstrate any prejudice arising from his trial counsel's failure to seek disclosure of the victim's medical records.

The cross-petition for certiorari is denied. See *State v. Van Huizen*, 2019 UT 01, ¶15 n.3, 435 P.3d 202 (a party "may not cross-petition for affirmance on alternate grounds that do not affect the outcome of the court of appeals' decision"). But the State is not precluded from raising the same argument as an alternate ground for affirmance when it submits its brief in response to Mr. McCloud's brief on the merits.

A briefing schedule will be established hereafter. The parties shall comply with the briefing schedule upon its issuance. Requests for extension are disfavored, but may be granted with good cause.

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