

FEB - 3 1988

IN THE COURT OF APPEALS OF THE STATE OF OREGON

NOREEN RENIER,

Respondent,

v.

JOHN DOUGLAS MERRELL,

Appellant.

STATE COURT ADMINISTRATOR
By _____

)
)
) Trial Court/Agency
) No. 85-3781-J-2 (C)
)
)
) CA A42394

Appeal or judicial review from: Jackson County

Date argued or submitted on briefs: January 20, 1988

Before: Warden, Presiding Judge, and Richardson and Van Hoomissen, Judges

Attorney for appellant : Roxie A. Cuellar, Springfield

Attorney for respondent : Lee Werdell, Medford

Affirmed without opinion. Date filed: February 3, 1988

Prevailing party or parties: respondent

[] No costs awarded

[XX] Costs awarded to the prevailing party payable by: appellant

In a criminal, post conviction relief, habeas corpus, juvenile or other case in which a party may be represented by appointed counsel entitled to compensation under ORS 138.500, if the prevailing party is a private party and is represented by retained counsel or appeared pro se, the prevailing party is awarded costs.

[The following entries will be made when the appellate judgment issues.]

IT IS ORDERED that the prevailing party or parties recover from

costs and disbursements in the amount of \$ _____, and attorney fees in the amount of \$ _____.

IT IS FURTHER ORDERED that judgment be entered in favor of the Judicial Department and against _____ in the amount of \$ _____ for filing fees not waived and unpaid at the time of entry of the final written disposition of this case. ORS 21.605.

Date Supreme Court denied petition for review:

Date appellate judgment filed:

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