



SUPREME COURT OF GEORGIA  
Case No. S18C0585

Atlanta, March 05, 2018

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

**THE STATE v. ANTONIO TAPIA ALMANZA**

Court of Appeals Case No. A17A1270

The Supreme Court today granted the writ of certiorari in this case. All the Justices concur.

This case will be assigned to the June 2018 oral argument calendar automatically under Supreme Court Rule 50 (2), as amended September 13, 1996. Oral argument is mandatory in granted certiorari cases.

This Court is particularly concerned with the following issue or issues:

1. When the General Assembly adopted a rule as part of the new Evidence Code effective January 1, 2013, that was substantively the same as a pre-existing Georgia rule of evidence but also patterned after a federal rule of evidence, to what extent (if any) was Georgia appellate case law construing the prior rule displaced by federal appellate case law interpreting the federal rule? See Ga. L. 2011, p. 100, § 1.
2. What is the relative precedential force of the case law of the court or courts to which we look in construing such a rule adopted as part of the new Evidence Code?
3. Is a declarant's statement to a treating medical professional identifying the alleged abuser of a child victim based on the child's statements to the declarant admissible under OCGA § 24-8-803 (4) in a case involving the sexual abuse of a child?

Briefs should be submitted only on these points. See Supreme Court Rule 45.

**SUPREME COURT OF THE STATE OF GEORGIA**

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

A handwritten signature in black ink, reading "Thrice A Barnes". The signature is written in a cursive style with a large initial 'T' and 'B'.

, Clerk