

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 4, No. 2

January 10, 1985

Pages 17-32

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State of Kansas

SECRETARY OF STATE**NOTICE**

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1983 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of January 1, 1985 through January 31, 1985 shall be 14.47%.

In testimony whereof: I hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 2nd Day of January A.D. 1985.

JACK H. BRIER
Secretary of State

Doc. No. 002782

State of Kansas

SOCIAL AND REHABILITATION SERVICES**REQUEST FOR PROPOSALS**

Notice is given that the Department will accept applications for the provision of Social Services to refugees during the period April 1, 1985 through March 31, 1986. Applications must be received in the Area SRS Offices by February 22, 1985. Applications received after that date will not be considered. Instructions for completing the application are described in the RFP packet, available on request from Area SRS Offices or from Phil Gutierrez, Department of Social and Rehabilitation Services, P.O. Box 30, Topeka, KS 66601, (913) 296-3349.

JOHN A. SCHNEIDER, Commissioner
Income Maintenance and Medical Services

Doc. No. 002790

State of Kansas

**STATE HISTORICAL SOCIETY
STATE RECORDS BOARD****NOTICE OF MEETING**

The Kansas State Records Board will meet at 10:00 a.m. Thursday, January 17, 1985, in the conference room, 4th Floor, Memorial Building. The Board will consider requests from state agencies submitting proposals for disposition of non-current government records.

In addition, general administrative matters and other business will be discussed.

EUGENE D. DECKER
State Archivist

Doc. No. 002779

State of Kansas

LEGISLATIVE DIVISION OF POST AUDIT**INVITATION FOR BIDS**

Sealed bid proposals on four Legislative Division of Post Audit Invitations for Bids on financial-compliance audit work will be received until 9:00 a.m., Monday, February 4, 1985. These invitations cover the following audit work:

State Board of Regents
Emporia State University
Fort Hays State University
Pittsburg State University
Kansas Technical Institute
Centralized State Internal Accounting Controls

Copies of the Invitations for Bids may be obtained from the Legislative Division of Post Audit, 109 W. 9th, Suite 301, Topeka, KS 66612, (913) 296-3792.

MEREDITH WILLIAMS
Legislative Post Auditor

Doc. No. 002788

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PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, KS 66612



PHONE: 913/296-3489

State of Kansas
FISH AND GAME COMMISSION

NOTICE OF MEETING

A meeting of the Kansas Fish and Game Commission is scheduled for January 23, 1985 at the Manhattan Holiday, 530 Richards Dr., Manhattan, KS. The meeting will begin at 3:30 p.m. in Conference Room 5. Fish and game legislation and general business matters will be discussed.

JOHN OSTMEYER
 Chairman

Doc. No. 002781

State of Kansas
DEPARTMENT OF HUMAN RESOURCES

**NOTICE OF REVIEW
 OF GRANT APPLICATIONS**

Below are applications which have been submitted to the Kansas Review Process. For those requiring review, comments should be sent to the Kansas Single Point of Contact, Judy Krueger, Kansas Department of Human Resources, Office of the Secretary, 401 Topeka Ave., Topeka, KS 66603. The due date for comments is indicated.

KS841226-001-14218JO—Application to Housing and Urban Development for \$410,000 for the City of Overland Park to renovate and improve a warehouse for a new Substance Abuse Services facility and the existing YWCA facility, to eliminate architectural barriers at public pools and to continue the Minor Home Repair for the Elderly Program. Contact Robert Pledge, Dept. of Community Development, 8500 Santa Fe Dr., Overland Park, KS 66212; 913/341-1080. Comments due by February 4, 1985.

KS841227-001-16540KS—Application to Department of Justice for \$420,000 to continue the deinstitutionalization program and additional programs which aim at jail removal, serious and chronic offenders, career educational programs, prevention program and aftercare resources. Contact David O'Brien, Dept. of Social and Rehabilitation Services, 2700 W. 6th St., Topeka, KS 66606; 913/296-4649. Comments due by January 14, 1985.

KS841228-001-10418CQ—Application to Department of Agriculture for \$892,000 to complete sewage collection and treatment system for the entire city of Chautauqua. Contact Buddy Welch, Mayor, City of Chautauqua, City Hall, Chautauqua, KS 67334; 316/725-5518. Comments due by February 6, 1985.

KS850102-001-13600BU—Application to Health and Human Services for \$9,002 for Head Start Training and Technical Assistance in Butler and Harvey counties. Contact Gerald Franklin, MIDKAP, 126 E. 2nd, El Dorado, KS 67042; 316/321-6373. No review required.

The following grants have been awarded:

The Kansas Neurological Institute (KNI) of Topeka was awarded a total of \$76,208 to provide part-time opportunities for low-income elderly persons to render supportive services to handicapped and retarded children residing at KNI and Capper Foundation. Connie Thompson, Director, KNI, 3107 W. 21st, Topeka, KS 66604; 913/296-5474.

LARRY E. WOLGAST, Ed.D.
 Secretary of Human Resources

Doc. No. 002792

State of Kansas
KANSAS WATER AUTHORITY

NOTICE OF MEETING

The January meeting of the Kansas Water Authority will be held January 24 and 25, 1985 at the Kansas Department of Health and Environment Conference Room, Building 321, Forbes Field, Topeka. Meeting starting time will be 1:00 p.m. on January 24. If a session is necessary on January 25, it will begin at 8:30 a.m.

An agenda will be available January 14. Persons not on the Authority's mailing list may request a copy of the agenda by writing or calling Bruce W. Janssen, 702 Broadway, P.O. Box D, Larned, KS 67550, 316/285-6514.

H. PHILIP MARTIN
 Chairman

Doc. No. 002794

State of Kansas
DEPARTMENT OF HUMAN RESOURCES
**KANSAS COUNCIL ON EMPLOYMENT
 AND TRAINING**

**NOTICE OF MEETING OF
 THE DISLOCATED WORKER COMMITTEE**

The Dislocated Worker Committee of the Kansas Council on Employment and Training will meet from 9:30-11:00 a.m. Friday, January 11, 1985, via teleconference, at 512 W. 6th, Topeka, KS. The meeting agenda includes:

- I. Status of Approved Proposals
- II. Status of Kansas Pre-Layoff Assistance Coordination Team (K-PACT)
- III. Discussion and Recommendations on Reviewed Proposals
 - A. Ark City Development Council Proposal
 - B. Hutchinson Labor Organizations Proposal

The meeting is open to the public.

LARRY E. WOLGAST, Ed.D.
 Secretary of Human Resources

Doc. No. 002793

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENT

PUBLIC NOTICE

A Certificate of Need application from Lawrence Memorial Hospital for the expansion of its facility to include ambulatory surgery and a multi-purpose educational facility, at a cost of \$860,140, has been reviewed and approved by the Kansas Department of Health and Environment. This Certificate of Need shall become effective January 21, 1985 unless appealed to the District Court of Douglas County, and shall be valid for one year.

A Certificate of Need application from the University of Kansas Medical Center, Kansas City, KS, for the purchase of a Dornier Kidney Lithotripter costing \$1,666,600, has been reviewed and approved by the Kansas Department of Health and Environment. This Certificate of Need shall become effective January 27, 1985, unless appealed to the District Court of Wyandotte County, and shall be valid for one year.

A Certificate of Need application from Faith Handicap Village, Inc. for the development of 45 additional beds at the intermediate care facility for the mentally retarded, with a cost of \$1,545,218, has been reviewed and denied by the Kansas Department of Health and Environment. This decision will become effective on February 2, 1985, unless appealed to the District Court of Johnson County.

BARBARA J. SABOL
Secretary of Health
and Environment

Doc. No. 002780

State of Kansas

STATE CORPORATION COMMISSION
MINED-LAND CONSERVATION AND
RECLAMATION BOARD

SCHEDULE OF 1985 BOARD MEETINGS

Notice is hereby given to all interested parties of the schedule for the Mined-Land Conservation and Reclamation Board meetings for the year 1985.

February 14, 1985—9:00 a.m., Holiday Inn, Pittsburg
April 11, 1985—9:00 a.m., Holiday Inn, Pittsburg
June 13, 1985—9:00 a.m., Holiday Inn, Pittsburg
August 8, 1985—9:00 a.m., Holiday Inn, Pittsburg
October 10, 1985—9:00 a.m., Holiday Inn, Pittsburg
December 12, 1985—9:00 a.m., Holiday Inn, Pittsburg

A special notice will be mailed on any change in location or time of meetings.

Special meetings will be at the call of the Chairman of the Board or upon petition of three or more Board members.

Field tours, site inspections or seminars for Board members are scheduled for the day preceding each scheduled Board meeting. Attendance is optional.

JOYCE STOVER
Executive Director

Doc. No. 002687

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE OF PUBLIC MEETINGS

The Office of Rail Programs, Kansas Department of Transportation (KDOT), will hold two informal public meetings February 12 and 14, 1985, to receive public comment on the proposed merger of the Santa Fe and Southern Pacific Railroad Companies. The proposed merger is presently under consideration by the Interstate Commerce Commission (ICC).

In order to assure that the economy of the state is protected in this consolidation, Governor John Carlin has charged the Office of Rail Programs with the responsibility of developing an in-depth analysis of the merger's impact, including the development of recommendations to the ICC. In carrying out this responsibility, the Office of Rail Programs will hold two informal public meetings to solicit opinions and comments from Kansans and Kansas groups who would potentially be affected by the merger.

The meetings will be held February 12 from 3:00 p.m. to 5:00 p.m. in the KDOT Conference Room #1, 7th Floor, State Office Building, 10th and Topeka Blvd., Topeka, KS; and on February 14 from 10:00 a.m. to 12:00 noon in the City Commissioner's Room, Avenue B and Walnut St., Hutchinson, KS.

The Office of Rail Programs will be gathering public comments in order to assess:

1. The direct impact on the rail users and communities located on Santa Fe and Southern Pacific lines;
2. The indirect impact on rail users and communities located on other rail lines; and
3. The impact on the total state transportation system.

Those who cannot attend the public meetings but who wish to have their comments considered may write to John R. Scheirman, Chief of Rail Programs, KDOT, 8th Floor, State Office Building, 10th and Topeka Blvd., Topeka, KS 66612.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 002791

State of Kansas

BOARD OF TAX APPEALS

TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board December 19, 1984. Will expire May 1, 1985.)

Article 3.—ECONOMIC DEVELOPMENT
REVENUE BONDS

94-3-2. Filing, fees and form. All applications and notices required to be filed pursuant to the act shall be governed by the following:

(a) Filing procedures.

(1) The informational statement, together with the fees required in K.A.R. 94-3-2(b)(1), shall be deemed filed and the requisite seven-day filing period shall

commence upon the date they are received in the office of the board. All communications, documents, information and inquiries shall be addressed or delivered to: Office of the Secretary, Board of Tax Appeals, Room 1030-S, State Office Building, Topeka, Kansas 66612-1582; telephone: Area code 913/296-2388.

(2) One informational statement shall be filed for each proposed issuance.

(3) If the informational statement is not complete as originally filed, the chairperson will, within 10 days following the receipt of the incomplete filing, issue a letter specifically setting forth the deficiency which must be remedied to complete the filing. Upon receipt of the required information, the requisite seven-day filing period shall commence.

(4) If the chairperson finds, following a review of the informational statement, that all information and documents required to be filed are complete and, based upon the proposed date of issuance of the bonds, that the statement has been filed in a timely manner, the chairperson will render to the appropriate government officials and bond counsel an order or a letter indicating that finding.

(5) The following disclaimer shall appear in bold face type upon the second page of each preliminary offering document:

THE CHAIRPERSON HAS NOT REVIEWED ANY INFORMATION OR DOCUMENT FILED PURSUANT TO THIS INFORMATIONAL FILING FOR THE ADEQUACY OR ACCURACY OF THE DISCLOSURE THEREIN. THIS INFORMATIONAL FILING DOES NOT CONSTITUTE A RECOMMENDATION OR AN ENDORSEMENT BY THE CHAIRPERSON.

(6) The chairperson may publish for distribution to interested persons a monthly list of all informational filings received during the preceding month.

(b) Fees.

(1) Each informational statement shall be accompanied by a filing fee of \$125.00. All fees shall accompany the application and shall be payable by check or money order to the board of tax appeals. Cash remittance shall not be acceptable. If the chairperson receives notice of refusal of payment of the check or money order presented in payment of these fees, the application shall be deemed to be incomplete and not timely filed as required by the act.

(2) Copies of documents filed and recorded in the office of the board shall be available upon request. Postage and copy fees shall be payable in advance, and in conformity with K.S.A. 45-204, as amended.

(c) Forms. The informational statement shall be on forms prescribed or approved by the chairperson. (Authorized by K.S.A. 1983 Supp. 12-1744b; implementing K.S.A. 12-1744a, as amended by L. 1984, ch. 73, sec. 1; effective May 1, 1983; amended, T-85-38, Dec. 19, 1984.)

FRED L. WEAVER
Chairman

Doc. No. 002776

State of Kansas

DEPARTMENT OF ADMINISTRATION DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for items hereinafter listed will be received by the Director of Purchases, State Office Bldg., Topeka, KS, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

TUESDAY, JANUARY 22, 1985

#26102-Supplement

Kansas State University, Manhattan and other state agencies—VETERINARY (ANIMAL)
PHARMACEUTICALS

#26385

University of Kansas, Lawrence; University of Kansas Medical Center, Kansas City; Wichita State University, Wichita; and Kansas State University, Manhattan—RADIOCHEMICALS

#60377

Kansas State University, Manhattan—WASTE
RECEPTACLES

#60378

Kansas Department of Revenue, Topeka—
PORTABLE PLATFORM SCALES

#60379

Department of Social and Rehabilitation Services, Topeka—MOWER, Salina

#60380

University of Kansas Medical Center, Kansas City—SPECTROPHOTOMETER

#60386

Department of Transportation, various locations—WOOD AND STEEL SIGN POSTS

#60387

University of Kansas Medical Center, Kansas City—HAMSTERS

#60391

Kansas Fish and Game Commission, Pratt—
EXTERIOR INSULATION AND FINISH SYSTEM,
Valley Center

#60394

Kansas State University, Manhattan—PUMPING
STATION

#60395

Kansas State University, Manhattan—
TRANSMISSION ELECTRON MICROSCOPE

WEDNESDAY, JANUARY 23, 1985

#26383

University of Kansas, Lawrence—TERMITE
CONTROL SERVICE

#60397

Kansas State University, Manhattan—MEAT AND
CHEESE

#60402

Kansas Fish and Game Commission, Pratt—
ALUMINUM STOCK, Milford Fish Hatchery,
Junction City

#60403

University of Kansas Medical Center, Kansas City—FIBEROPTIC BRONCHOSCOPE

#60405

Kansas State Penitentiary, Lansing—CAST
ALUMINUM WATER CLOSETS

(continued)

#60406

University of Kansas, Lawrence—PRINTING AND
BINDING OF FOUR PRESIDENCIES

#60407

Department of Transportation, various
locations—LUMINAIRES AND ELECTRIC EYE

#60408

Department of Transportation, various
locations—BITUMINOUS DISTRIBUTOR AND
TRUCK

THURSDAY, JANUARY 24, 1985

#60409

University of Kansas, Lawrence—HPLC
APPARATUS

#60410

Department of Transportation, various
locations—CHAIN SAWS

FRIDAY, JANUARY 25, 1985

#26381

Kansas Correctional Industries, Lansing—ONE
GALLON POLYETHYLENE JUGS

TUESDAY, JANUARY 29, 1985

#26371

Statewide—FROZEN FOODS

WEDNESDAY, JANUARY 30, 1985

#26372

Statewide—SPICES AND MISCELLANEOUS
GROCERIES

FRIDAY, FEBRUARY 1, 1985

#60396

University of Kansas Medical Center, Kansas
City—MISCELLANEOUS MEATS, March, 1985

FRIDAY, MARCH 1, 1985

#26374

University of Kansas Medical Center, Kansas
City—PROFESSIONAL LIABILITY INSURANCE,
STUDENTS IN SCHOOL OF NURSING AND
SCHOOL OF ALLIED HEALTH

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 002786

State of Kansas**ATTORNEY GENERAL****Opinion No. 85-1**

Automobiles and Other Vehicles—Serious Traffic Offenses—Driving While Under the Influence of Alcohol; Diversion Agreements Involving Restriction of Driver's License. John A. Sparks, Pottawatomie Assistant County Attorney, Westmoreland, January 2, 1985.

A county or district attorney may, at his or her discretion, offer a person accused of the offense of driving while under the influence of alcohol the opportunity to enter into a diversion agreement. While K.S.A. 1983 Supp. 22-2909 sets forth a number of requirements for such an agreement, it specifically does not limit the terms of a diversion agreement to only those items. Accordingly, a diversion agreement

may impose restrictions on the driving privileges of a defendant which may be the same as or similar to those imposed by a court under K.S.A. 1983 Supp. 8-1567(c), as amended by L. 1984, ch. 39, § 9. If defendant accepts such a condition in a diversion agreement, his or her license should be forwarded to the division of vehicles, as provided in K.S.A. 1983 Supp. 8-1567(1), as amended. Cited herein: K.S.A. 1983 Supp. 8-1008; K.S.A. 1983 Supp. 8-1567, as amended by L. 1984, ch. 39, § 9; K.S.A. 12-4416; K.S.A. 1983 Supp. 22-2909. JSS

Opinion No. 85-2

Labor and Industries—Act Against Discrimination—Commission on Civil Rights; Confidential Nature of Investigative Files.

Laws, Journals and Public Information—Public Records Preservation—Records Received by State Archives; Confidentiality Maintained. Joseph W. Snell, Executive Director, Kansas State Historical Society, Topeka, January 2, 1985.

Information gathered in the course of an investigation by the Kansas Commission on Civil Rights is confidential, pursuant to K.S.A. 44-1005, as amended by L. 1984, ch. 186, § 1(e). While files of such investigations are subject to retention under the Public Records Preservation Act, K.S.A. 45-401 *et seq.*, the confidential nature of the files is required to be maintained by the archivist. Cited herein: K.S.A. 44-1005, as amended by L. 1984, ch. 186, § 1(e); K.S.A. 45-405 as amended by L. 1984, ch. 188, § 3; K.S.A. 45-407 45-408; L. 1984, ch. 282, § 4; K.A.R. 1983 Supp. 21-43-6. MFC

Opinion No. 85-3

Real and Personal Property—Conveyances of Land—Recording of Instruments. Vic Miller, Director of Property Valuation, Topeka, January 2, 1985.

In the absence of a statute to the contrary, a register of deeds lacks authority to allow changes to be made in the real estate records of the county in order to correct errors made in original instruments that were properly recorded by the register of deeds. If the parties to a recorded instrument discover an error in the original instrument, a document containing the correct information should be prepared and recorded.

The register of deeds is an elected county officer whose duties are prescribed by law. No other officer or entity is charged with the responsibility of supervising the activities of the register of deeds. However, like the actions of any other public officer, the actions of a register of deeds are subject to review by the courts and the electors of the county. Cited herein: K.S.A. 19-1204, 58-2221. RJB

ROBERT T. STEPHAN
Attorney General

Doc. No. 002789

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION
SUPREME COURT DOCKET
 Tuesday, January 22, 1985

Case Caption	Attorneys	Originating County
9:30 a.m.		
57,008 State of Kansas, appellee, v. Cameron J. Kerley, appellant.	Robert T. Stephan, Atty. Gen.; Geary N. Gorup, Asst. Dist. Atty.	Sedgwick
56,776 State of Kansas, appellee, v. Garry L. Storey, appellant.	Monte Vines. Robert T. Stephan, Atty. Gen.; Geary N. Gorup, Asst. Dist. Atty.	Sedgwick
56,343 State of Kansas, appellee, v. Yvonne D. Pink, Regina M. Baldwin, and Erick L. Kelly, appellants.	David Michael Rapp. Robert T. Stephan, Atty. Gen.; Geary N. Gorup, Asst. Dist. Atty.	Sedgwick
57,104 Country Club Home, Inc., <i>et al.</i> , appellees. v. Robert C. Harder, as Secretary of Social and Rehabilitation Services, appellant.	Steven C. Sherwood; Kenton D. Wirth; Charles A. O'Hara. Jack A. Quinlan; T. Richard Liebert.	Sedgwick
56,937 State of Kansas, appellant, v. Barry C. Jehner, appellee.	Bruce A. Roby. Robert T. Stephan, Atty. Gen.; Morgan Metcalf, Co. Atty.	Butler
1:30 p.m.		
56,819 State of Kansas, appellant, v. James Chadwick Fourhorn, appellee.	Robert T. Stephan, Atty. Gen.; Jerry L. Harper, Dist. Atty.	Douglas
56,209 In the Matter of the Adoption of DEREK ERWIN CRIDER, a Minor Child.	Stanton Hazlett. Neil Roach.	Lyon ON PETITION FOR REVIEW
56,451 Richard B. Mettee, <i>et al.</i> , appellees, v. John B. Kemp, Secretary of Transportation of the State of Kansas, appellant.	Steven Davis. Lewis A. Heaven, Jr.; Thomas H. Bornholdt.	Johnson
56,441 The Solomon State Bank, Solomon, Kansas, a Corporation, appellees, v. David Neises, <i>et al.</i> , appellants.	Susan Ellmaker. Casey R. Law; Hal D. Meltzer; William A. Guilfoyle.	Dickinson
consolidated with 56,970 Solomon State Bank, Solomon, Kansas, a Corporation, <i>et al.</i> , appellees, v. David Neises, <i>et al.</i> , appellants.	Doug Thompson; Keith D. Hoffman. Hal D. Meltzer; William A. Guilfoyle.	Dickinson

(continued)

Wednesday, January 23, 1985

9:30 a.m.

- | | | | |
|--------|---------------------------------------|---|-----------|
| 56,936 | State of Kansas, appellee, | Robert T. Stephan, Atty. Gen.;
Kenneth J. Moore, Asst. Dist. Atty. | Wyandotte |
| | v. | | |
| | John W. Porter, appellant. | Kevin Carver. | |
| 56,904 | State of Kansas, appellee, | Robert T. Stephan, Atty. Gen.;
Dexter Burdette, Asst. Dist. Atty. | Wyandotte |
| | v. | | |
| | Robert Leroy Pearson, appellant. | Paul M. Dent. | |
| 56,659 | State of Kansas, appellee, | Robert T. Stephan, Atty. Gen.;
Dexter Burdette, Asst. Dist. Atty. | Wyandotte |
| | v. | | |
| | Michael Williams, appellant. | Jeffrey A. Dehon. | |
| 56,551 | Lillian K. Walters, appellee, | Felix G. Kancel;
Gloria M. Vusich. | Wyandotte |
| | v. | | |
| | C. Thomas Hitchcock, M.D., appellant. | M. Warren McCamish. | |
| 57,169 | State of Kansas, appellee, | Robert T. Stephan, Atty. Gen.;
Steven Worcester, Co. Atty. | Graham |
| | v. | | |
| | Jesse James Jones, appellant. | Mark C. Whitney. | |

1:30 p.m.

- | | | | |
|--------|---|--|------------------------|
| 56,834 | State of Kansas, appellee, | Robert T. Stephan, Atty. Gen.;
R. Douglas Sebelius, Co. Atty. | Norton |
| | v. | | |
| | David Paul Ferree, appellant. | Harold T. McCubbin. | |
| 55,387 | James P. Sellars and Kelly Sellars,
appellants, | Timothy A. Short;
Fred Spigarelli. | Crawford |
| | v. | | |
| | Stauffer Communications, Inc., appellee. | Michael W. Merriam. | ON PETITION FOR REVIEW |
| 56,898 | John H. Hart, appellee, | Larry T. Solomon. | Harper |
| | v. | | |
| | Linda K. Hart (now Neufeld), appellant. | Alan C. Goering. | |
| 56,408 | The Ram Co., Inc., of Minneapolis,
formerly doing business as Ram
Construction, Inc., appellee, | Constance M. Achterberg. | Lincoln |
| | v. | | |
| | Estate of Clyde K. Kobbeman, deceased;
<i>et al.</i> , appellants. | J. Stan Sexton;
David D. Moshier;
Sheldon E. Morton;
Frank C. Norton. | |

Thursday, January 24, 1985

9:30 a.m.

- | | | | |
|--------|--------------------------------------|--|--------------|
| 56,755 | State of Kansas, appellee, | Robert T. Stephan, Atty. Gen.;
John D. Watt, Co. Atty. | Pottawatomie |
| | v. | | |
| | Alvin Matzke, appellant. | Alvin Matzke, <i>Pro Se.</i> | |
| 56,744 | State of Kansas, appellee, | Robert T. Stephan, Atty. Gen.;
Dennis W. Moore, Dist. Atty. | Johnson |
| | v. | | |
| | Michael Douglas Peterson, appellant. | Joseph L. Dioszeghy. | |

56,031	Marvin G. Luttrell, appellant,	Brian T. Meyers; Thomas L. Thurston; Richard M. Smith.	Johnson
	v.		
	United Telephone System, Inc., appellee.	Paul Hasty, Jr.	ON PETITION FOR REVIEW
56,457	State of Kansas, appellee,	Robert T. Stephan, Atty. Gen.; Jay C. Hinkel, Co. Atty.	Finney
	v.		
	Paul Guebara, appellant.	Randall D. Grisell.	
56,559	State of Kansas, appellee,	Robert T. Stephan, Atty. Gen.; Brenda West Hagerman, Co. Atty.	Pawnee
	v.		
	Richard Coy, appellant.	Robert L. Taylor.	
		1:30 p.m.	
56,525	State of Kansas, appellant,	Robert T. Stephan, Atty. Gen.; Deborah Wilkinson, Asst. Co. Atty.	Barton
	v.		
	Eileen M. Brown, appellee.	Joel Jackson.	
consolidated with			
56,997	State of Kansas, appellee,	Robert T. Stephan, Atty. Gen.; William H. Pringle, Co. Atty.	Barton
	v.		
	Eileen M. Brown, appellant.	Joel B. Jackson.	
56,499	State of Kansas, appellee,	Robert T. Stephan, Atty. Gen.; Linda S. Trigg, Co. Atty.	Seward
	v.		
	John William Hulet, appellant.	Stephen L. Thompson.	
56,533	Kansas Farm Bureau Insurance Company, Inc., <i>et al.</i> , appellees,	Glenda Lyons.	Doniphan
	v.		
	Stephen Francis Miller, <i>et al.</i> , appellants.	C. K. Saylor; Jack R. Euler.	
56,010	Arnold Clark, appellee,	Gene Anderson.	Ellis
	v.		
	Jean Clark, appellant.	Allen Shelton.	ON PETITION FOR REVIEW

Friday, January 25, 1985

9:30 a.m.

56,801	State of Kansas, appellant,	Robert T. Stephan, Atty. Gen.; Kyle G. Smith, Asst. Co. Atty.	Lyon
	v.		
	Rory C. Holland, appellee.	Neil Roach.	
56,872	State of Kansas, appellee,	Robert T. Stephan, Atty. Gen.; Rodney H. Symmonds, Co. Atty.	Lyon
	v.		
	Andrew T. Dubish, appellant.	Don W. Lill.	
57,141	State of Kansas, appellant,	Robert T. Stephan, Atty. Gen.; Arthur R. Weiss, Asst. Dist. Atty.	Shawnee
	v.		
	Barton E. Meredith, appellee.	William E. Enright.	
56,804	State of Kansas, appellee,	Robert T. Stephan, Atty. Gen.; Randy Hendershot, Asst. Dist. Atty.	Shawnee
	v.		
	Vincent M. Cunningham, appellant.	Ronald E. Wurtz, Dist. Defender.	

(continued)

9:30 p.m.

56,527	In the Matter of the Trusteeship of Milda R. Sandstrom.	Craig Shultz.	Shawnee
		Kenneth M. Carpenter; Orval L. Fisher.	
57,339	State of Kansas, Petitioner, v. Marvin Pendergraft, Respondent.	Arno Windscheffel.	Original
57,364	State of Kansas, Petitioner, v. Charles P. Fleming, Jr., Respondent.	Marvin Pendergraft, <i>Pro Se.</i> Arno Windscheffel. Charles P. Fleming, Jr., <i>Pro Se.</i>	Original

LEWIS C. CARTER
Clerk of the Appellate Courts

Doc. No. 002785

State of Kansas

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(NOTE: Dates and times of arguments are subject to change.)

KANSAS COURT OF APPEALS
JOHNSON COUNTY COURTHOUSE, DIV. #6, COURTROOM 300
OLATHE, KANSAS

Before FOTH, C.J., MEYER and BRISCOE, JJ.
Wednesday, January 16, 1985

Case No.	Case Name	Attorney	County
		9:00 a.m.	
56,985 S.C.	Bobby J. Hammond, appellant, v. State of Kansas, appellee.	Thomas E. Foster. Atty. Gen.; Nick Tomasic, D.A.	Wyandotte
56,468	George R. Clipner, appellant, v. Michael Herman, <i>et al.</i> , appellees.	Thaine O. Blumer; Homer C. Bittiker. Richard A. Rubins; James E. Kelley, Jr.; Louis S. Wexler; Ray L. Borth.	Wyandotte
56,613	L. G. Wills, appellant, v. David E. Garner, appellee.	John M. Cox. Robert F. Rowe, Jr.	Wyandotte
56,192	In the Matter of the Estate of Leonard Mettee, deceased.	William E. Scott and Richard L. Reid, for appellant; Felix G. Kancel, Jr., guardian <i>ad litem</i> ; Reid F. Holbrook; Lewis A. Heaven, Jr.; John P. Biscanin.	Wyandotte
56,505	Nancy L. Fowler, appellant, v. American Continental Ins. Co., appellee.	Harry R. Reese. Douglas C. Beach.	Wyandotte
		1:30 p.m.	
56,167 S.C.	State of Kansas, appellee, v. George Bailes, appellant.	Atty. Gen.; David S. Brake, Asst. D.A. J. R. Russell.	Wyandotte

56,909	Raymond Riedesel, Jr. and Dollie J. Riedesel, appellees, v. Alberto Meza, Jr. and Loretta Meza, appellants.	Richard L. Reid. Ed Schneeberger.	Wyandotte
56,900	In the Matter of the Protest of Litho Stepping, Inc. (now Stepping Services, Inc.), appellee, v. Board of Tax Appeals of the State of Kansas, appellant.	Francis J. Donnelly. John M. Duma, Asst. County Counselor.	Wyandotte
57,112	Bethany Medical Center, appellee, v. Clark Knox & Geraldine Knox, appellants.	Scott K. Logan. John G. O'Connor.	Wyandotte
57,118	Ahmed A. Parker, appellee, v. Select Brands Distr. Co. and Royal Ins. Co., appellants.	James R. Shetlar. Thomas R. Hill.	Wyandotte

Thursday, January 17, 1985

9:00 a.m.

56,617 S.C.	In the Matter of the Marriage of Steven Louis Harbert and Linda Sue Harbert.	Charles F. Wetzler for appellee, S. W. Longan, III for appellant.	Johnson
56,859	State of Kansas, appellee, v. Roger D. Barker, appellant.	Atty. Gen.; Paul J. Morrison, Asst. D.A. Donna M. Kaser.	Johnson
56,798	Robert L. Rieke Building Co. Inc., appellee, v. City of Olathe & the Housing Authority of the City of Olathe, KS, appellants.	John Anderson. Christopher Bacon; Richard L. Roberts.	Johnson
56,734	D. Neil Tremayne & Janet K. Tremayne, plaintiffs, v. Recon, Inc., and Gary Merritt, <i>et al.</i> , defendants, appellees, Rosedale State Bank and Trust Co., Intervenor and Cross-Petition Plaintiff, appellant.	Bryson R. Cloon. James D. Howell, Jr. Steven R. Anderson.	Johnson
56,746	Anchor Savings Assn., cross-petition defendant, appellee, v. City of Olathe, KS, <i>et al.</i> , appellants, v. Board of Zoning Appeals, <i>et al.</i> , appellees.	Robert L. Hamman. Steven R. Zieber. Joe Norton; Ron Bodinson.	Johnson
1:30 p.m.			
56,513 S.C.	In the Matter of the Application for a Writ of Habeas Corpus by Manuel Hernandez.	Ruben Jorge Kriszta.	Leavenworth
56,945	Frank F. Eckdall, appellee, v. Louise C. Throgmorton, appellant.	Robert Davis, Co. Atty. Frank F. Eckdall.	Lyon
57,126	State of Kansas, appellee, v. Herbert Harold Russell, appellant.	Michael C. Helbert. Atty. Gen.; Gerald Wells, Asst. D.A. Jon Getz.	Douglas

(continued)

56,764	Kevin T. Malott, appellant, v. Mastercraft Corp. & SAFECO Title Ins. Co. of Oregon, appellees.	James L. Postma; John W. Nitcher. John Emerson; L. Franklin Taylor.	Douglas
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Friday, January 18, 1985

9:00 a.m.

56,714 S.C.	In the Matter of the Marriage of Charles Smithey and Donna J. Smithey.	Thomas DeCoursey. Gerald N. Jeserich.	Johnson
56,938	In the Matter of the Estate of Mercedes Murry Fichtner, deceased.	Keith Martin.	Johnson
56,689	Tombo E. Burke, d/b/a T&T Sales, appellant, v. Geotel, Inc., appellee.	Thomas DeCoursey. Robert W. Naibert.	Johnson
56,514	First Citibank of Olathe, Plaintiff, v. T.C.B. Associates, Inc., Defendant, appellee, v. Olathe Copy Break, Inc., Garnishee/appellant.	Susan Hall Baker. Daniel J. Stausbaugh; Joe L. Norton; Cedric Siegfried; Steven M. Gray.	Johnson
56,385	State of Kansas, appellee, v. Roy L. Cagle, appellant.	David D. Moshier. Atty. Gen.; Daniel F. Meara. Patrick S. Bishop; Mark Ward.	Bourbon

KANSAS COURT OF APPEALS

COURT OF APPEALS COURTROOM, 3RD FLOOR, OLD SEDGWICK COUNTY COURTHOUSE
541 NORTH MAIN, WICHITA, KANSAS

Before SWINEHART, P.J., ABBOTT and PARKS, JJ.

Wednesday, January 16, 1985

9:00 a.m.

56,781 S.C.	State of Kansas, appellee, v. Brenda K. Lyday, appellant.	Atty. Gen.; Geary Gorup, Asst. D.A. David Michael Rapp.	Sedgwick
56,284	David Thomas, appellee, v. Davis-Moore Datsun, Inc., and Nissan Motor Corp. in U.S.A., appellant.	Charles H. Apt III. Everett Fettis; Charles E. Hill.	Sedgwick
56,715	In the Matter of the Estate of Delbert M. Sloyer, deceased.	Tim Connell.	Sedgwick
56,458	In the Matter of Bulk Transfer by Don's Auto Supply, Inc., to Auto Parts of Wichita #4, Inc.	Ervin Grant; Roy U. Jordan. Robin Barkett Moore.	Sedgwick
56,492	Robert Bell, appellee, v. Floyd W. Silcott, appellant.	Don W. Riley; David D. Gaumer. Philip W. Unruh.	Harper

1:30 p.m.

56,665 S.C.	Paul Shores, appellant, v. Wanda O. Shores, appellee.	R. G. Larson. Harold Greenleaf.	Seward
55,876	Archie Anderson, appellant, v. National Carriers, Inc., appellee.	Lelyn J. Braun.	Seward
56,526	Ronald E. Kitson, appellant, v. First Federal Savings and Loan Association, appellee.	Gene H. Sharp. Ronald E. Kitson, <i>pro se</i> .	Reno
56,440	Delbert Saffer, appellant, v. Blackstone Drilling, Inc. and Bituminous Ins. Co., appellees.	Wendell S. Holmes. Jack O. Bowker. Douglas D. Johnson.	Reno

Thursday, January 17, 1985

9:00 a.m.

57,208 S.C.	Donald Gene McQueen, appellant, v. State of Kansas, appellee.	Eric A. Stahl.	Sedgwick
56,933	State of Kansas, appellant, v. Rene E. Epperson & Michael J. Auerbach, appellees.	Atty. Gen.; Geary Gorup, Asst. D.A. Geary Gorup, Asst. D.A.; Atty. Gen.	Sedgwick
56,545	Farmers State Bank of Bucklin, Bucklin, KS, appellee, v. Gary Panzer, Nikie Panzer and Tiffie Williams, appellants.	Jack Focht; Daniel E. Monnat. Max Eugene Estes.	Ford
56,604	In the Matter of the Estate of Chester F. Royse, deceased.	Robert W. Christensen; J. C. Hinkle. Walter F. Stueckemann. Harry A. Waite; George Voss.	Ford
56,106	Gene W. Francis, C.P.A. and Richard W. McKee, C.P.A., dba Francis, McKee & Co., a Partnership, appellants, v. Randy K. Schlotfeldt, appellee.	Jack W. Shultz. David L. Patton.	Ford

1:30 p.m.

56,360	State of Kansas, appellee, v. Toby Rosas, appellant.	Atty. Gen.; Jay C. Hinkel, Co. Atty. Michael Quint.	Finney
56,366	Rose Marie Walsh, appellee, v. Lee Hopkins, appellant.	Kathleen M. Boelte. Ricklin R. Pierce.	Finney
56,864	Melvin Lee Hopkins, appellant, v. Rose Marie G. Smith, f/k/a Rose Marie G. Hopkins, appellee. State of Kansas, appellee, v. Glen H. Lovin, Jr., appellant.	Atty. Gen.; Rodney H. Symmonds, Co. Atty. Patricia Finney.	Lyon

(continued)

56,420 In the Matter of the Marriage of Yvonne Blake and Jerel Leonard Blake. Brenda West Hagerman. Pawnee
Louis James.

Friday, January 18, 1985

9:00 a.m.

56,703 State of Kansas, appellee, Atty. Gen.; Sedgwick
S.C. Geary Gorup, Asst. D.A.
v.
Stevie D. Anderson, appellant. David Michael Rapp.

56,432 Universal Modular Structures Inc., Stuart R. Collier for appellant. Sedgwick
appellant,
v.
Mary K. Forrest, appellee.

Universal Modular Structures Inc., Marvin C. Pendergraft,
appellant,

v.
Johnnie Darr, Sheriff of Sedgwick Co., David Blakemore, County
KS, appellee. Counselor.

56,222 State of Kansas, appellee, Atty. Gen.; Sedgwick
v. Mike Jennings, Asst. D.A.
Jerry E. Mayhew, appellant. Jerry L. Berg.

57,143 Saleta M. Nuttle, appellant, Michael T. Mills. McPherson

v.
Certainteed Corp. and Workers Comp. William H. Seiler, Jr.;
Fund, appellees. David G. Shriver.

56,298 I. Rene Ballard, appellant, Paul H. Hulsey. Butler
v.
W. N. Haffner, appellee. Steven C. Day;
Daniel Garrity;

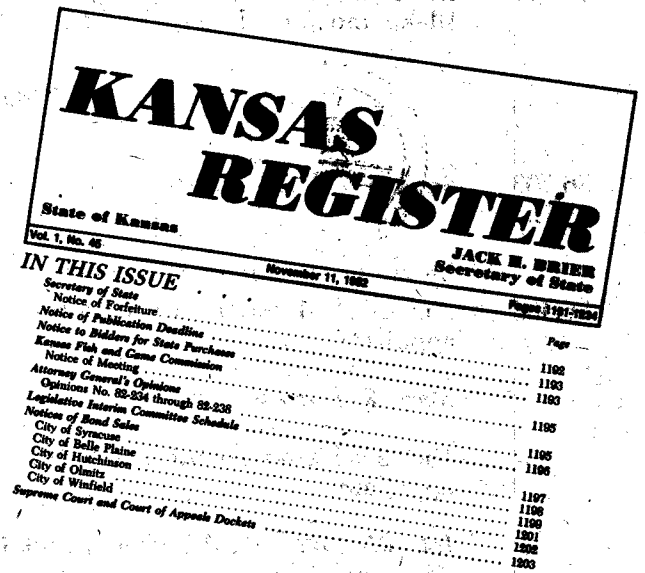
56,377 Holland Wiler III, *et al.*, appellants, Ray L. Connell. Butler
v.

Jimmie L. Watson, *et al.*, appellees. Richard L. Honeyman;
Edward J. Hund.

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