

No. 114,153

IN THE COURT OF APPEALS OF THE STATE OF KANSAS

HODES & NAUSER, MDS, P.A.;
HERBERT C. HODES, M.D.; AND
TRACI LYNN NAUSER, M.D.,
Plaintiffs-Appellees,

v.

DEREK SCHMIDT, IN HIS OFFICIAL
CAPACITY AS ATTORNEY GENERAL
OF THE STATE OF KANSAS; AND
STEPHEN M. HOWE, IN HIS
OFFICIAL CAPACITY AS DISTRICT
ATTORNEY FOR JOHNSON COUNTY,
Defendants-Appellants.

ORDER

Kansans for Life has filed an application for leave to file an *amicus* brief. The court previously has granted leave to file *amicus* briefs to the Family Research Council and to the American College of Obstetricians and Gynecologists. We denied an application filed by a group of 12 individual physicians ("Kansas Physicians").

We denied the application of Kansas Physicians because its stated interests appeared to be met by our previous grant to the American College of Obstetricians and Gynecologists. In addition, we had not yet received an application from Kansans for Life, and by denying the application of Kansas Physicians, we were in a position to receive an equal number of *amicus* filings generally supporting each side's position.

We note that Kansas Physicians had indicated in their motion that the parties had consented to the filing of an *amicus* brief by them. Because we now have an additional application to file an *amicus* brief generally supporting the other side in the litigation, we withdraw our prior order denying Kansas Physicians' request to file an *amicus* brief.

We grant the applications of Kansas Physicians and Kansans for Life to file an *amicus* brief in this case. Pursuant to Supreme Court Rule 6.07(d)(7), each brief is limited to 15 pages. Pursuant to Supreme Court Rule 6.06(b)(1), the briefs must be filed no later than November 9, 2015, 30 days before the oral argument scheduled for December 9, 2015. No extensions of that deadline will be granted. The parties are reminded that the briefs must be filed electronically or they will not be accepted by the clerk.

DATED: October 29, 2015

FOR THE COURT

/s/ Thomas E. Malone

THOMAS E. MALONE, CHIEF JUDGE