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**IN THE DISTRICT COURT OF FRANKLIN COUNTY, KANSAS
FOURTH JUDICIAL DISTRICT**

STATE OF KANSAS,)
Plaintiff,)
vs.) Case No. 2013 CR 104
)
KYLE FLACK,)
Defendant.)

JOURNAL ENTRY OF NOVEMBER 26, 2013 MOTIONS HEARING

NOW ON THIS 26th day of November, 2013, this matter comes on for motions hearing before the Honorable Thomas H. Sachse in Franklin County District Court. The State of Kansas appears, by and through Vic Braden, Deputy Attorney General, Stephen A. Hunting, Franklin County Attorney and James Ward, Assistant Franklin County Attorney. The defendant appears in custody and by and through court-appointed counsel, Ron Evans.

THEREUPON, the State, upon objection of the Defendant, withdrew its request for business records subpoenas in State's Motion #4. The Court granted the State's request and withdrew State's Motion #4 from consideration at this time.

THEREUPON, the Court took up State's Motion #8, the State's Second Motion to Perform DNA Testing. Defense counsel objected to State's Motion #8, and requested an opportunity to lodge a written objection. The Court allowed the defense counsel to file a written objection by December 10, 2013. The Court indicated that it would take up the motion on December 20, 2013 at 10:30 a.m.

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THEREUPON, the Court took up State's Motions #6 & 7, State's Notices of Intent to Issue Business Records Subpoenas. The defendant did not object to the Court issuing the subpoenas requested by the State in Motions #6 & 7. Defense counsel signed written waivers of its objections to the issuance of the business records subpoenas listed in State's Motions #6 & 7. The Court granted State's Motions #6 & 7.

THEREUPON, the Court set this matter for motions hearing on December 20, 2013 at 10:30 a.m.

IT IS SO ORDERED.


THOMAS H. SACHSE
DISTRICT COURT JUDGE

PREPARED AND APPROVED BY:



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APPROVED BY:



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