

Stephen A. Hunting, #21648
Franklin County Attorney
301 S. Main Street
Ottawa, KS 66067
shunting@franklincoks.org

2015 JAN -6 PM 3:46

**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 AUGUST 29, 2014 MOTIONS HEARING

NOW ON THIS 29th day of August, 2014, this matter comes on for motions hearing before the Honorable Eric Godderz in Franklin County District Court. The State of Kansas appears, by and through Stephen A. Hunting, Franklin County Attorney, Vic Braden, Deputy Attorney General, and James Ward, Assistant Franklin County Attorney. The defendant appears in custody and by and through court- appointed counsel, Timothy Frieden.

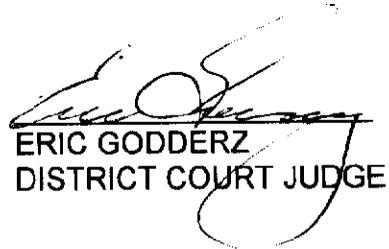
THEREUPON, the Court took up the State's Motion #18, State's Motion to Admit Defendant's Statements. The Defendant objected to the admissibility and voluntariness of the defendant's entire statement to law enforcement. The State called witnesses and they were subject to direct and cross examination. The State rested. The Defendant presented no evidence and rested.

THEREUPON, the Court, after review of the transcripts of the defendant's statements, review of the transcript of the testimony from the first motion hearing on this matter, and considering all of the evidence presented before it at the present hearing,

ruled that defendant's statements were admissible. Specifically, the Court ruled that the defendant's statements were obtained freely and voluntarily and there was no coercion, and that the defendant's *Miranda* rights were not violated.

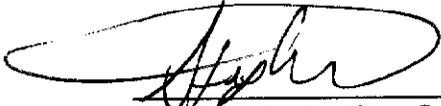
THEREUPON, the Court set this matter for motions hearing on November 25, 2014 at 9:00 a.m.

IT IS SO ORDERED.



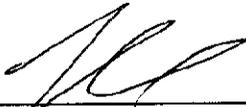
ERIC GODDERZ
DISTRICT COURT JUDGE

PREPARED AND APPROVED BY:



Stephen A. Hunting, S.Ct. #21648
Franklin County Attorney
301 S. Main Street
Ottawa, Kansas 66067

APPROVED BY:



Timothy Frieden, S.Ct. #12022
Attorney for the defendant
230 E. William, Suite 7190
Wichita, KS 67202