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

STATE OF KANSAS,)
Plaintiff,)
vs.)
KYLE FLACK,)
Defendant.)

Case No. 2013 CR 104

**STATE'S RESPONSE TO THE DEFENDANT'S MOTION TO FILE CERTAIN
SUBPOENAS UNDER SEAL**

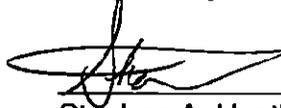
COMES NOW the State of Kansas, by and through Stephen A. Hunting,
Franklin County Attorney, in response to defendant's Motion to File Certain
Subpoenas Under Seal argues the following:

1. The State does not oppose the defendant's motion so long as the requirements placed upon the defendant in K.S.A. 22-3212 are complied with concerning discovery.
2. In addition, the State does not oppose the defendant's motion so long as the information sought and/or obtained is revealed to the State within a reasonable amount of time prior to trial to ensure that the State can secure and have present any or all necessary rebuttal witnesses to insure no delay in the trial.

WHEREFORE, the State does not oppose the defendant's motion.

Doc # 274

Respectfully submitted,



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

CERTIFICATE OF SERVICE

I hereby certify that the original State's Response to Defendant's Motion to File Certain Subpoenas Under Seal was hand-delivered on the 3rd day of February, 2015, to:

The Clerk of the Franklin County District Court
301 S. Main Street
Ottawa, KS 66067

and, I hereby certify that a true and accurate copy of the State's Response to Defendant's Motion to File Certain Subpoenas Under Seal was mailed via USPS on the 3rd day of February, 2015 to:

Ronald Evans
Attorney for the Defendant
700 SW Jackson Street - Suite 500
Topeka, KS 66603

Timothy Frieden
Attorney for the Defendant
266 N. Main, Suite 210
Wichita, KS 67202

and, I hereby certify that a chamber copy of the State's Response to Defendant's Motion to File Certain Subpoenas Under Seal was delivered to Hon. Eric Godderz on the 3rd day of February, 2015 to:



Stephen A. Hunting, #21648
Franklin County Attorney