

Kansas Supreme Court

*Special
Session*



The Kansas Supreme Court: seated, from left, Justice Marla Luckert, Chief Justice Lawton Nuss, and Justice Carol Beier; standing, Justice Dan Biles, Justice Eric Rosen, Justice Lee Johnson, and Justice Caleb Stegall.

**6:30 p.m. Monday
September 24, 2018**

**Manhattan High School Auditorium
2100 Poyntz Ave., Manhattan**

Supreme Court invites community to special session at Manhattan High School

The Kansas Supreme Court will hear two cases in a special session at Manhattan High School, 2100 Poyntz Ave., Manhattan, as part of its ongoing outreach to familiarize Kansans with the high court, its work, and the overall role of the Kansas judiciary.

It will be the Supreme Court's first visit to Manhattan in the court's 157-year history, and it will be only the ninth time the court will hear cases in the evening.

The court will be in session from 6:30 p.m. to about 8 p.m. Monday, September 24, in the high school auditorium. After the session concludes, the justices will greet the public in an informal reception outside the auditorium.

Docket

Appeal No. 116,690: *State of Kansas (appellee) v. Lee Edward Williams (appellant)* Wyandotte County: (Criminal Appeal) Williams was convicted of first-degree murder and criminal possession of a firearm in the 2013 killing of his child's mother. In 2016, the district court sentenced Williams to life in prison with a minimum of 25 years served before parole eligibility and a consecutive term of 20 months. Issues on appeal include whether: 1) the State committed prosecutorial error in its closing argument; 2) the trial court erred in denying Williams' *Batson* challenge; 3) the trial court erred in admitting autopsy photographs of the victim; and 4) the cumulative error denied Williams a fair trial.

Appeal No. 113,933: *Carl B. Davis, Bankruptcy Trustee, in the Matter of Cheryl A. Harrell (appellee/cross-appellant) v. Mark A. Judd, O.D., and Mark A. Judd, O.D., P.A. (appellants/cross-appellees)* Barton County: (Petition for Review) Harrell sold her late husband's optometry practice to Judd in 2006. Judd agreed to pay Harrell a percentage of yearly gross revenues through 2015 but stopped payment when he decided it violated Kansas optometry law. Harrell sued for breach of contract; she later declared bankruptcy. The district court entered summary judgment in favor of the bankruptcy trustee in 2015, one month after Cheryl Harrell's death. In 2016, the Court of Appeals held the purchase agreement was enforceable but reversed the trial court's denial of the trustee's request for prejudgment interest and remanded with directions to award interest. Issues on review are whether: 1) the payments made to Harrell were legal under Kansas optometry law; and 2) prejudgment interest should be awarded.

Summaries of the cases and briefs filed by the attorneys are available online by following the *Manhattan Special Session* link under *What's New* on the Kansas judicial branch website at www.kscourts.org.

Attending the Special Session

If you want to attend the special session, plan to arrive at the venue early to allow time to get through security screening. Doors open at 6 p.m. To ease your check-in, do not bring:

- food or drink;
- large bags, large purses, backpacks, computer cases, or briefcases;
- knives, pepper spray, firearms, or weapons;
- electronic devices like laptop computers, handheld games, personal digital assistants, or tablets. If you must carry a cell phone, turn it off and store it out of sight while court is in session.

Quiet Please

Audience members are prohibited from talking during oral arguments because it interferes with the attorneys' remarks and questions asked by the justices. Talking immediately outside the auditorium is also discouraged. If someone arrives after the session starts, or must leave the auditorium before it ends, he or she should be as quiet as possible entering and exiting the auditorium.

Live Video Stream

A livestream of the special session will be available on the internet by selecting the *Watch Supreme Court Live!* link on the judicial branch home page at www.kscourts.org.

Supreme Court Outreach

Manhattan is the court's 15th destination since 2011, when it first convened outside of the Kansas Judicial Center to mark the state's 150th anniversary.

Stops in 2011 included the historic Supreme Court courtroom in the Capitol and locations in Salina, Greensburg, and Wichita. The court visited Overland Park in 2012; Pittsburg in 2013; Kansas City, Kansas, in 2014; Hays and Garden City in 2015; Topeka, Hiawatha, and Hutchinson in 2016; Winfield and Emporia in 2017; and Colby in 2018.