

**KANSAS COURT OF APPEALS**  
**U.S. CONSTITUTION DAY OBSERVANCE**  
**WASHBURN UNIVERSITY SCHOOL OF LAW**  
ROBINSON COURTROOM  
1700 SW COLLEGE (*17th and MacVicar*)  
*TOPEKA, KANSAS*

**NOTICE**

The parties are hereby notified when sentencing is challenged in any criminal appeal, the State, under Supreme Court Rule 2.042, has a continuing obligation to notify the appellate court clerk, in writing, of any change in the custodial status of the defendant during the pendency of the appeal. The State should determine the defendant's custodial status when the case is scheduled for oral argument or assigned to the summary calendar docket.

Oral arguments are limited to 15 minutes each for appellant and appellee, except as otherwise provided by Supreme Court Rule 7.02(e). If additional time has been granted, it is shown below the case number.

All attorneys are expected to be present at the beginning of the morning or afternoon session in which their arguments are scheduled. Argument is sometimes waived and last minute emergencies occasionally necessitate rearranging the order of the docket.

Failure to appear at the proper venue in a timely manner may result in the waiver of oral argument. The location of argument for each docket is placed at the top and bottom of each page.

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Before POWELL, P.J., MALONE, J., and BOLTON FLEMING, D.J.  
**Tuesday, September 19, 2017 - 9:00 a.m.**

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**116,425**

Matthew Jaeger, Appellant,

Corrine E. Gunning, A.D.

*Douglas*

v.

State of Kansas, Appellee.

Jon S. Simpson, A.Sol.Gen.

Derek Schmidt, A.G.

Hearings for this docket are at WASHBURN SCHOOL OF LAW, TOPEKA.

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Before POWELL, P.J., MALONE, J., and BOLTON FLEMING, D.J.  
**Tuesday, September 19, 2017 - 9:00 a.m., continued**

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**116,752**

Carolyn Kane and  
Peggy Locklin, Appellees,

Richard W. Hird

*Jefferson*

v.

Keith Locklin, Individually and as Trustee of  
the John W. Locklin and Ruth A. Locklin  
Revocable Trust Agreement,  
and  
Allen Locklin, Appellants.

John W. Fresh  
Charles Joseph Osborn

**117,103**

HM of Topeka, LLC,  
a/k/a HM of Kansas, LLC, A Kansas Limited  
Liability Company, Appellee,

Stephen P. Weir

*Jackson*

v.

Indian Country Mini Mart,  
A Kansas General Partnership,  
Carla D. Nissen, and Roger Aldis, Appellants.

J. Phillip Gragson

Hearings for this docket are at **WASHBURN SCHOOL OF LAW, TOPEKA.**

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*TOPEKA, KANSAS*

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Before POWELL, P.J., MALONE, J., and BOLTON FLEMING, D.J.  
**Tuesday, September 19, 2017 - 1:30 p.m.**

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**115,032**

In the Matter of the Estate of  
George Wayne Probasco, Deceased.

James D. Oliver  
Thomas L. Theis  
Timothy P. O'Sullivan

*Shawnee*

E. Lou Bjorgaard Probasco,  
Surviving Spouse, Appellant,

v.

Jeffrey W. Probasco, Kristi A. Hellmuth,  
and Paula S. Freeman, Decedent's children,  
Appellees.

Gregory A. Lee  
Terry E. Beck

**117,336**

Ayaan M. Kulmiye, Appellant,

Stanley R. Ausemus

*Work Comp.*

v.

Tyson Fresh Meats, Inc., Appellee.

Gregory D. Worth  
Danielle R. Augustine

Hearings for this docket are at **WASHBURN SCHOOL OF LAW, TOPEKA.**

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TOPEKA, KANSAS

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Before POWELL, P.J., MALONE, J., and BOLTON FLEMING, D.J.  
**Tuesday, September 19, 2017 - 1:30 p.m., continued**

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**116,795 – 20 minutes**

SWKI-Seward West Central, Inc.,  
and  
SWKI-Stevens Southeast, Inc., Appellants,

Timothy J. Sear  
Frank A. Caro, Jr.  
Anne E. Callenbach  
Andrew O. Schulte

*Shawnee*

v.

The State Kansas Corporation Commission of  
the State of Kansas,  
(Anadarko Natural Gas Company),  
Intervenor/Appellee.

Brian G. Fedotin  
James P. Zakoura  
Joseph L. McEvoy

Hearings for this docket are at **WASHBURN SCHOOL OF LAW, TOPEKA.**

# KANSAS COURT OF APPEALS

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## SUMMARY CALENDAR - NO ORAL ARGUMENT

These cases shall be deemed submitted without oral argument, and an opinion may be released prior to the regularly scheduled docket without further notice.

The cases will receive full consideration by the assigned panel of Judges.

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Before POWELL, P.J., MALONE, J., and BOLTON FLEMING, D.J.

**Wednesday, September 20, 2017**

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| 116,524 | State of Kansas v. Dashaun Ray Howling   |
| 117,148 | Ibraheem R. Ali v. Sam Cline, et al.     |
| 116,803 | State of Kansas v. Brandon L. Fowler     |
| 116,383 | State of Kansas v. Jedediah S. Unruh     |
| 116,482 | State of Kansas v. Tjay Miller           |
| 116,780 | Victor Logan v. State of Kansas          |
| 116,586 | State of Kansas v. Robin Smith           |
| 117,147 | Grant Nixon v. Sam Cline, et al.         |
| 116,612 | State of Kansas v. Lee Edward Williams   |
| 116,434 | State of Kansas v. Foster Lee Everette   |
| 116,198 | State of Kansas v. Jonathan Levi Mangold |
| 116,367 | State of Kansas v. Brian Keith Kinney    |