

MANDATE

SUPREME COURT,

Appellate Court No. 15-113267-S

STATE OF KANSAS,

ss.

District Court No. 10CV1569

FILED

FEB 07 2024

The State of Kansas, to the District Court within and for the County of SHAWNEE
in the State of Kansas, Greetings.

DOUGLAS T. SHIMA
CLERK OF APPELLATE COURTS

WHEREAS, in a certain civil action lately pending before you, wherein LUKE GANNON, BY HIS NEXT FRIENDS AND GUARDIANS, ET AL., appellees, and, STATE OF KANSAS, appellant, a judgment was rendered by you against the appellant from which judgment appellant prosecuted an appeal in the Supreme Court within and for the State of Kansas;

AND WHEREAS, on February 11, 2016, on consideration of the appeal, it was ordered and adjudged by the Supreme Court that the judgment of the District Court be affirmed in part and reversed in part. An attested true copy of the opinion is attached.

AND WHEREAS, on May 27, 2016, on consideration of the appeal, it was ordered and adjudged by the Supreme Court that Senate Substitute for House Bill 2655 is not in compliance with the February 11, 2016, opinion of this court and fails to remedy the constitutional infirmities in the Classroom Learning Assuring Student Success Act (Class), K.S.A. 2015 Supp. 72-6463, *et seq.*, identified in that opinion. An attested true copy of the opinion is attached.

AND WHEREAS, on March 2, 2017, on consideration of the appeal, it was ordered and adjudged by the Supreme Court that the judgment of the District Court be affirmed. An attested true copy of the opinion is attached.

AND WHEREAS, on October 2, 2017, on consideration of the appeal, it was ordered and adjudged by the Supreme Court that the State has failed to show that the remedial legislation, Senate Bill 19, meets the adequacy and equity requirements of Article 6 of the Kansas Constitution. An attested true copy of the opinion is attached.

AND WHEREAS, on June 25, 2018, on consideration of the appeal, it was ordered and adjudged by the Supreme Court that the State has failed to show the remedial legislation meets the adequacy requirement in Article 6 of the Kansas Constitution. The State can bring the K-12 public education financing system into compliance by timely making financial adjustments to the problems identified. The State has shown its proposed remedy meets the equity requirement of Article 6. An attested true copy of the opinion is attached.

AND WHEREAS, on June 14, 2019, on consideration of the appeal, it was ordered and adjudged by the Supreme Court that the State has shown its proposed remedy substantially complies with our mandate from *Gannon v. State*, 308 Kan. 372, 420 P.3d 477 (2018). We retain jurisdiction. An attested true copy of the opinion is attached.

AND WHEREAS, on February 6, 2024, it was ordered and adjudged by the Supreme Court that the Clerk of the Appellate Courts issue the mandate *instanter*. An attested true copy of the order is attached.

YOU ARE THEREFORE COMMANDED, that without delay you cause execution to be had of the judgments of the Supreme Court, according to law.



Costs

Paid Fees of Clerk of the Appellate Courtswaived
Other Costs\$
Total.....\$

WITNESS my hand and the seal of the Supreme Court affixed hereto, at my office, in the City of Topeka, on FEB 07 2024.

Douglas T. Shima

DOUGLAS T. SHIMA, Clerk of the Appellate Courts

**MANDATE RECEIVED BY CLERK
TRIAL JUDGE NOTIFIED**

Date: _____

PS