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2004 SC 77

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CAROL S. GREEN
CLERK APPELLATE COURTS
IN THE SUPREME COURT OF THE STATE OF KANSAS

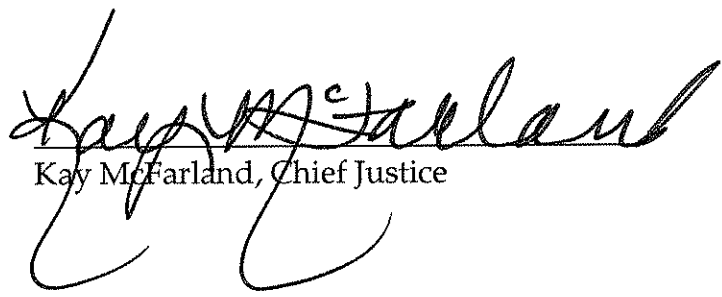
RULES RELATING TO
SUPREME COURT, COURT OF APPEALS,
AND APPELLATE PRACTICE

Rule 8.03
SUPREME COURT REVIEW OF COURT OF APPEALS DECISIONS

Supreme Court Rule 8.03(i) is hereby amended, effective the date of this order:

(i) EFFECT OF COURT OF APPEALS' DECISION PENDING REVIEW. The timely filing of a petition for review shall stay the issuance of the mandate of the Court of Appeals. Pending the determination of the Supreme Court on the petition for review, the opinion of the Court of Appeals is not binding on the parties, may not be cited as precedent, and is not binding on the district courts. If a petition for review is granted, the decision or opinion of the Court of Appeals has no force or effect, and the mandate shall not issue. If a petition for review is granted in part, a combined mandate shall issue when appellate review is concluded, unless otherwise specifically directed by the Supreme Court. If review is refused, the decision of the Court of Appeals shall be final as of the date of the refusal, and the mandate of the Court of Appeals shall be issued by the Clerk forthwith.

By order of the Court, this 7th day of October 2004.



Kay McFarland, Chief Justice