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CLERK OF THE SHAWNEE COUNTY DISTRICT COURT
CASE NUMBER: 2020-CV-000469



Court: Shawnee County District Court
Case Number: 2020-CV-000469
Case Title: Julia Lynn vs. Scott Schwab - in his official capacity
Type: Order and Writ of Mandamus

SO ORDERED.

A handwritten signature in black ink that reads "Thomas G. Luedke".

/s/ Thomas G. Luedke, Honorable District Court
Judge

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS

JULIA LYNN,)	
)	
Petitioner,)	
v.)	Case No. 2020-CV-000469
)	
SCOTT SCHWAB, in his official capacity as the)	Division:
Secretary of State for the State of Kansas,)	
)	K.S.A. Chapter 60
Respondent.)	

ORDER AND WRIT OF MANDAMUS

NOW ON THIS 11th day of September, 2020, this matter comes before the Court on Petitioner Julia Lynn’s Verified Petition for Writ of Mandamus. Petitioner Julia Lynn appears by and through counsel, Ryan Kriegshauser, Kriegshauser Law LLC, and Joshua Ney, Ney Law Firm, LLC. Respondent Scott Schwab, in his official capacity as the Secretary of State for the State of Kansas, appears by and through counsel Garrett Roe, General Counsel for the Office of the Kansas Secretary of State. There are no other appearances.

THE COURT FINDS that Parties’ Agreed Stipulations of Fact filed herein are adopted as the Court’s findings of fact.

THE COURT FURTHER FINDS that, after considering parties’ Agreed Stipulations of Fact, admitted exhibits, arguments of counsel, and briefs and pleadings filed herein: Petitioner’s certification of withdrawal and written certification of medical hardship signed by a medical doctor were submitted to and received by the Office of the Kansas Secretary of State on September 1, 2020.

THE COURT FURTHER FINDS the Petitioner submitted and timely filed all necessary certifications under K.S.A. 306b(b) to withdraw her nomination and have her name removed from the November 3, 2020 ballot.

NOW THEREFORE, IT IS HEREBY ORDERED AND DECREED BY THE COURT THAT:

- 1) Petitioner Julia Lynn's petition for writ of mandamus is granted, and a writ of mandamus shall immediately issue;
- 2) Respondent Scott Schwab, in his official capacity as the Secretary of State for the State of Kansas, is ordered to comply with his clearly defined duties imposed by K.S.A. 25-306b(b). Secretary Schwab shall not include on and shall cause the removal of Julia Lynn's name from any ballots for the office of state senator for the general election on November 3, 2020; and
- 3) Respondent Schwab shall notify the chairperson or vice-chairperson of the Johnson County Republican Party Committee of the vacancy caused by the withdrawal of Petitioner's nomination by 5:00 p.m. today, September 11, 2020.

IT IS SO ORDERED.

Hon. Thomas Luedke

JUDGE OF THE DISTRICT COURT