



**Court:** Supreme Court

**Case Number:** 114153

**Case Title:** HODES & NAUSER, MDS, P.A.;  
HERBERT C. HODES, M.D.; AND  
TRACI LYNN NAUSER, M.D., APPELLEES,  
V.  
DEREK SCHMIDT, IN HIS OFFICIAL  
CAPACITY AS ATTORNEY GENERAL  
OF THE STATE OF KANSAS; AND  
STEPHEN M. HOWE, IN HIS  
OFFICIAL CAPACITY AS DISTRICT  
ATTORNEY FOR JOHNSON COUNTY, APPELLANTS.

**Type:** Motion to Withdraw Reply Brief by Appellants,  
Derek Schmidt, et al.

Considered by the court and granted. Appellants' response to brief amici curiae of the Constitutional Accountability Center and the American Civil Liberties Union Foundation of Kansas is stricken.

SO ORDERED.

A handwritten signature in cursive script, appearing to read "Lawton R. Nuss".

/s/ for Lawton R. Nuss, Chief Justice

IN THE SUPREME COURT OF THE STATE OF KANSAS

Hodes & Nauser, MDs, PA, )  
Herbert C. Hodes, M.D., and )  
Tracy Lynn Nauser, M.D., )  
 )  
Plaintiffs-Appellees, )  
 )  
v. ) No. 15-114,153-S  
 )  
Derek Schmidt, in his official capacity )  
as Attorney General of the State of )  
Kansas, and Stephen M. Howe, in his )  
official capacity as District Attorney )  
for Johnson County, )  
 )  
Defendants-Appellants. )  
\_\_\_\_\_ )

APPELLANTS' MOTION TO WITHDRAW RESPONSE  
TO AMICUS BRIEF

Appellants move to withdraw their Response (filed October 18, 2016) to the amicus brief of the Constitutional Accountability Center and the American Civil Liberties Union Foundation of Kansas.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 19th day of October 2016, a copy of this

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