

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

61102-001
APR 20 2000
FILED
U.S. DISTRICT COURT
DISTRICT OF KANSAS

CHEROKEE, LAJUAN AND MYTESHA)
ROBINSON, et al.,)
)
Plaintiffs,)
v.)
)
THE STATE OF KANSAS; BILL GRAVES,)
et al.)
)
Defendants.)
_____)

APR 20 3 22 PM '00

RALPH W. BEECH
CLERK
DEPUTY
AT WICHITA, KS.

CASE NO: 98-1493

ORDER OF PARTIAL DISMISSAL

THIS MATTER has come before the court on Plaintiffs' Motion to Voluntarily Partially Dismiss Without Prejudice the following claims:

- (1) plaintiffs' cause of action, brought pursuant to the Bill of Rights of the Kansas Constitution, that their rights to equal protection of the laws have been violated;
- (2) plaintiffs' cause of action, brought pursuant to the Bill of Rights of the Kansas Constitution, that they have been deprived of substantive due process; and
- (3) plaintiffs' cause of action, brought pursuant to Article 6 of the Kansas Constitution, that defendants have failed to make suitable provision for the financing of public education in the state of Kansas.

Plaintiffs also request that Unified School District Nos. 443 and 305 be voluntarily dismissed from this action as plaintiffs.

Having been well and duly advised in the premises, the court finds that plaintiffs' Motion to Voluntarily Partially Dismiss should be and is hereby GRANTED.

IT IS THEREFORE ORDERED that Count VI and those portions of Counts IV-V of plaintiffs' Complaint relating to their equal protection and due process claims under the Kansas

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Constitution are hereby dismissed without prejudice. It is further ordered that plaintiffs Unified School District Nos. 443 and 305 are hereby dismissed from this action.

April 20, 2000
Date

J. Thomas Martin
U.S. District Court Judge

SUBMITTED BY:

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