

IN THE SUPREME COURT OF THE STATE OF KANSAS

No. 112,431

CHAD TAYLOR,
Petitioner,

v.

KRIS KOBACH, IN HIS OFFICIAL CAPACITY AS
SECRETARY OF STATE FOR THE STATE OF KANSAS,
Respondent.

ORDER

The court has considered Petitioner's Petition for Writ of Mandamus and Emergency Motion for Temporary Restraining Order and his Memorandum in Support, both filed September 9, 2014, and Respondent's Notice Regarding Scheduling, filed September 10, 2014. Based on these filings, the court hereby orders the following:

I. This court will retain jurisdiction over Petitioner's mandamus action due to the expedited nature of this case and the necessity for an authoritative ruling. See Kan. Const. art. 3, § 3; *Manhattan Buildings, Inc. v. Hurley*, 231 Kan. 20, 25-27, 643 P.2d 87 (1982) (Supreme Court has discretion to exercise jurisdiction over a mandamus petition that presents an issue of great public importance or concern); see also *Stephens v. Van Arsdale*, 227 Kan. 676, 683, 608 P.2d 972 (1980) (purpose of mandamus proceeding to obtain expeditious, authoritative interpretation of the law to guide public officials).

II. Petitioner's Emergency Motion for Temporary Restraining Order is stayed based on Respondent's representations to the court in his Notice Regarding Scheduling that ballots will not be prepared and printed until September 19, 2014.

There is no need to refer this matter for fact finding by a judge of the district court or a commissioner as authorized by Supreme Court Rule 9.01(d) (2013 Kan. Ct. Rule Annot. 83). The two pieces of evidence relevant to the controlling legal issue of the interpretation and application of K.S.A. 25-306b(b) are attached to Petitioner's sworn affidavit as Exhibits A and B.

III. Respondent is ordered to file a response to Petitioner's Petition for Writ of Mandamus by noon, Monday, September 15, 2014.

Any additional briefing the parties wish to submit also must be filed by noon, Monday, September 15, 2014.

The court will not entertain any motion for an extension of these deadlines.

IV. Oral argument on Petitioner's Petition for Writ of Mandamus is scheduled for 9:00 a.m., Tuesday, September 16, 2014. The two parties will be allowed 20 minutes each for argument. The court will not entertain any motion for a continuance of this setting.

BY ORDER OF THE COURT this 11th day of September 2014.

A handwritten signature in cursive script, appearing to read 'Lawton R. Nuss', written in black ink. The signature is positioned above a horizontal line.

LAWTON R. NUSS,
Chief Justice