

Braun

District Court of Kansas
Third Judicial District
Shawnee County, Kansas

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ATTORNEY GENERAL
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Chambers of
Fred S. Jackson
Judge of the District Court
Division No. Two
Shawnee County Courthouse
Topeka, Kansas 66603-3922

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February 9, 1994



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Eugene T. Hackler, Esq.
P. O. Box 1
Olathe, KS 66061

Re: Judith Ann Golay v. Kansas State Board of
Nursing, Case No. 89-CV-2070

Dear Counsel:

A review of the record in the captioned matter indicates that the decision of this Court was reversed by the Kansas Court of Appeals and the case was remanded for further proceedings. Counsel were afforded an opportunity to submit additional briefs concerning the issues presented but did not respond. The matter has now been certified by counsel to be ready for decision.


After again reviewing the administrative record of the proceeding before the Kansas State Board of Nursing, wherein the license of the petitioner, Judith Ann Golay, was suspended because of the Board's finding that she mischarted medication, diverted medication and failed to account for medication, the Court finds that the findings of the Kansas State Board of Nursing are supported by substantial competent evidence and that the actions of the Board were not fraudulent, arbitrary or capricious.

For the foregoing reasons, the Court finds that the administrative decision of the Kansas State Board of Nursing must be affirmed. Judgment is entered in favor of the respondent and costs are taxed to petitioner.

Mark S. Braun, Esq.
Gene Hackler, Esq.
Page 2
February 9, 1994

The original of this Memorandum Decision and Order is being filed with the Clerk and shall constitute the entry of the Court's judgment. No further Journal Entry is necessary.

Very truly yours,


Fred S. Jackson
District Judge

FSJ:vs