

22CV89; 22CV90; 22CV71

IN THE SUPREME COURT OF THE STATE OF KANSAS

No. 125,092

FAITH RIVERA, et al., TOM ALONZO, et al., SUSAN FRICK, et al.,
Appellees,

v.

SCOTT SCHWAB, in his Official Capacity as Kansas Secretary of State, and
MICHAEL ABBOTT, in his Official Capacity as Election Commissioner of Wyandotte
County, Kansas,
Appellants,

JAMIE SHEW, in his Official Capacity as Douglas County Clerk,
Appellee.

SHOW CAUSE ORDER

Appellants cite K.S.A. 60-2101(b) as the statutory authority for this appeal. That statute directs:

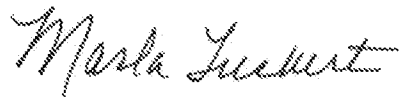
"The supreme court shall have jurisdiction to correct, modify, vacate or reverse any act, order or judgment of a district court or court of appeals in order to assure that any such act, order or judgment is just, legal and free of abuse. An appeal from *a final judgment* of a district court in any civil action in which a statute of this state or of the United States has been held unconstitutional shall be taken directly to the supreme court." (Emphasis added.)

The court questions whether the district court's April 25 decision constitutes "a final judgment" because at page 208 of the decision, the district court explicitly "retain[ed] jurisdiction over the matter."

Appellants must file a response to this order no later than May 2, 2022, addressing whether the court should dismiss this appeal for lack of jurisdiction. Appellees must file either a response or a notice of intent not to file a response no later May 4, 2022.

Dated this 28th day of April 2022.

FOR THE COURT

A handwritten signature in cursive script that reads "Marla Luckert". The signature is written in black ink and is positioned above the printed name and title.

MARLA LUCKERT,
Chief Justice