

**RECORD REQUEST OR COPY DENIAL NOTICE**

TO:

Name: Cheryl Sullenger

Address: P.O. Box 781045, Wichita, KS 67278

Daytime Phone: 316-516-3034

Fax: 316-634-1045

Your request dated August 6, 20 12, for inspection or copies of the following records has been denied:

1. See your request (attached) for list of items requested.

2. \_\_\_\_\_

3. \_\_\_\_\_

(Title or description of record)

The reason for the denial is:

Items 1-3 The record requested is not required to be disclosed under the Kansas Open Records Act, pursuant to K.S.A. 2011 Supp. 45-217 (f)(2)(A) and K.S.A. 2011 Supp. 45-221(a)(1) because, to the extent any documents exist, Judge Anderson issued a Protective Order in Shawnee County Case No. 04-IQ-3 on January 12, 2012, which placed the records in the custody of the Clerk of the District Court of the Third Judicial District and sealed these records until further order of the Court.

Items 4-5 These records requested are not required to be disclosed under the Kansas Open Records Act pursuant to K.S.A. 2011 Supp. 45-217 (f)(2)(A) because, to the extent any exist, these records are communications of a district judge.

Items 4-5 Although any such records are not subject to disclosure pursuant to K.S.A. 2011 Supp. 45-217(f)(2)(A), a search was conducted and no documents were found to exist that match the description stated in these requests.

It is your right to challenge this denial, if you so choose, by means of a legal action.

Cathy Leonhart

Freedom of Information Officer

August 14, 2012

Date

*Cheryl Sullenger*

*P.O. Box 781045, Wichita, KS 67278  
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E-mail: [cherylsullenger@gmail.com](mailto:cherylsullenger@gmail.com)*

August 6, 2012

The Honorable Judge Richard Anderson  
Division Two  
200 SE 7th St.  
Topeka, KS 66603

Dear Judge Anderson:

I am making a request for documents under the Kansas Open Records Act (KORA) and the Federal Freedom of Information Act (FOIA).

I request copies of the following records:

1. Documents indicating whether Judge Richard Anderson currently maintains custody of redacted abortion records related to Planned Parenthood that were subject of Inquisition Case Number 04IQ3 and the *Alpha Medical Clinic and Beta Medical Clinic v. Anderson and Kline* Kansas Supreme Court Case Number 93,383.
2. Documents indicating whether Judge Richard Anderson currently maintains custody of Termination of Pregnancy forms related to Planned Parenthood initially obtained by subpoena by former Attorney General Phill Kline from the Kansas Department of Health and Environment during Inquisition Case Number 04IQ3.
3. Documents indicating the date and identity of all individuals and/or agencies, that may have taken possession of the following documents from Judge Richard Anderson after January 7, 2007:
  - a. Redacted abortion records related to Planned Parenthood that were subject of Inquisition Case Number 04IQ3, including and the *Alpha Medical Clinic and Beta Medical Clinic v. Anderson and Kline* Kansas Supreme Court Case Number 93,383.
  - b. Termination of Pregnancy forms related to Planned Parenthood initially obtained by subpoena by former Attorney General Phill Kline from the Kansas Department of Health and Environment during Inquisition Case Number 04IQ3.
4. Documents containing communications between Johnson County District Attorney Steve Howe and Judge Richard Anderson after January 7, 2007, related to the Planned Parenthood Termination of Pregnancy forms initially obtained by subpoena by former

Attorney General Phill Kline from the Kansas Department of Health and Environment during Inquisition Case Number 04IQ3.

5. Documents containing communications between Shawnee County District Attorney Chad Taylor and Judge Richard Anderson after September 31, 2011, related to the Planned Parenthood Termination of Pregnancy forms initially obtained by subpoena by former Attorney General Phill Kline from the Kansas Department of Health and Environment during Inquisition Case Number 04IQ3.

Because all criminal investigations and prosecutions related to the above requested documents have all been either dismissed or otherwise ended, I would humbly suggest that exemption under K.S.A 45-221i(1), (2), and (10) would not be applicable.

Because I am not seeking copies of the redacted abortion records or the Termination of Pregnancy forms referred to in my request for other related records, I would also suggest that the exemption under K.S.A. 45-2219i(3) also would not be applicable.

I would very much appreciate it if the records I have requested could be E-mailed to me in digital format at the following E-mail address:

[cherylsullenger@gmail.com](mailto:cherylsullenger@gmail.com).

If that is not possible, please mail them to me at the post office box address indicated at the top of this letter.

Thank you very much for your attention to this matter.

Respectfully submitted,

  
Cheryl Sullenger