



Judge Gordon Atcheson



Chief Judge Sarah Warner



Judge Leslie Ann Isherwood

9:30 a.m. Tuesday, April 8

McCray Hall

Sharon Kay Dean Recital Hall

Pittsburg State University

Pittsburg

Appeal No. 127,533: Donald Goldstein and Ingrid Goldstein, Co-Executors of the Estate of Mark Allen Goldstein v. Textron Aviation, Inc.

Sedgwick: (Civil Appeal) Goldstein died after the plane he was piloting crashed after losing power in one of its engines. The plane had just been through routine maintenance performed by Textron Aviation, Inc. Goldstein's heirs sued Textron, claiming the maintenance was deficient and directly resulted in the fatal crash. A jury ruled in Textron's favor. Goldstein's heirs appealed, arguing the district court wrongly admitted evidence that changed the outcome of the trial.

Appeal No. 127,119: Sharon Rogers and Robert Rogers, individually and as heirs-at-law of Aryn Rogers, deceased; and as the Co-Administrators of the Estate of Aryn Rogers, deceased v. Matthew Moll, M.D.

Butler: (Civil Appeal) Aryn Rogers was born with hydrocephalus, which was treated by a shunt in her brain. Over the years there were issues with the shunt, and Aryn's medical team told her family which symptoms might indicate an issue with the shunt and what to do if she experienced those symptoms. Aryn was experiencing some of those symptoms one day, prompting her father, Robert, to drive her to the hospital. He told physicians he believed Aryn might be experiencing a shunt malfunction. Robert was initially told there was nothing wrong with Aryn's shunt. But her health declined rapidly, and she ultimately passed away. Aryn's heirs sued Moll, claiming he was negligent in failing to quickly identify the issue and treat Aryn. The case was heard by a jury, which found in Moll's favor. Aryn's heirs appealed, claiming errors in instructions given to the jury before deliberations resulted in the wrong verdict.

About the Kansas Court of Appeals

The 14-member Kansas Court of Appeals is our state's intermediate appellate court. The court's jurisdiction, which is established by statute, includes criminal, civil, and administrative cases.

The Court of Appeals normally sits in three-judge panels and travels to locations throughout the state. Each panel reviews decisions from lower courts to evaluate whether mistakes were made that would require a new trial.

Panels read briefs submitted by the parties and examine a record of what happened in the lower court. If they think it would be helpful, the judges have the parties present oral arguments so they can ask questions. Some of these oral arguments are livestreamed on the court's YouTube channel. Even if they are not livestreamed, oral arguments are public proceedings.

After reviewing case materials, and possibly hearing oral argument, the judges research case law and statutes before writing decisions that explain how the panel reached its conclusion. All Court of Appeals decisions are subject to review by the Kansas Supreme Court.

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