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2004 SC 76

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CAROL M. GALEN
CLERK APPELLATE COURTS

IN THE SUPREME COURT OF THE STATE OF KANSAS

RULES RELATING TO
SUPREME COURT, COURT OF APPEALS,
AND APPELLATE PRACTICE

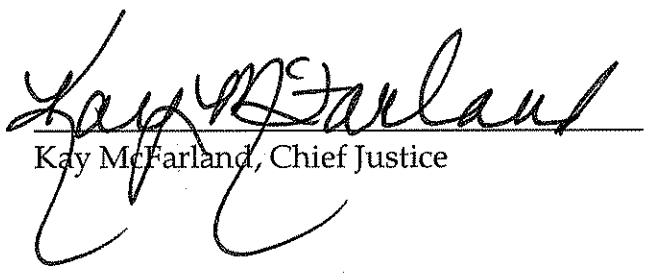
Rule 7.042
AFFIRMANCE BY SUMMARY OPINION

Supreme Court Rule 7.042 is hereby amended, effective the date of this order:

In any case in which the court determines after argument or submission on the briefs that no reversible error of law appears and either

- (a) the appeal is frivolous ~~and completely without merit~~;
- (b) the appeal is without merit;
- (b) (c) the findings of fact of the trial court or administrative tribunal are supported by substantial competent evidence;
- (c) (d) the verdict of the jury is supported by substantial competent evidence;
- (d) (e) the opinion or findings of fact and conclusions of law of the trial court or administrative tribunal adequately explain the decision; or
- (e) (f) the trial court or administrative tribunal did not abuse its discretion, the court may affirm by an opinion citing this rule and indicating which one or more of the above criteria it has determined to be applicable. The opinion will be in the following form: "Affirmed under Rule 7.042 [(a) (b) (c) (d) (e) and/or (f)]."

By order of the Court, this 7th day of October 2004.


 Kay McFarland, Chief Justice