

No. 14-452

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**In the Supreme Court of the United States**

STATE OF KANSAS,

*Petitioner,*

v.

SIDNEY J. GLEASON,

*Respondent.*

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*On Writ of Certiorari to the  
Supreme Court of Kansas*

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**JOINT APPENDIX**

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Capital Appellate Defender  
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June 2015

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Petition for Writ of Certiorari filed October 16, 2014  
Petition for Writ of Certiorari granted March 30, 2015

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**RELEVANT DOCKET ENTRIES**

**Barton County District Court, Kansas**

**Case No. 2004-CR-000052**

***State of Kansas vs. Sidney J Gleason, et al.***

**Felony**

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**Register of Actions**

02/27/ 2004	Complaint (On or about 2/21/04)	Kitts, Hanelore
	Affidavit	Kitts, Hanelore

Document sealed

	Arrest Warrant Issued Bond amount: \$1,000,000 (Gleason)	Kitts, Hanelore
03/01/ 2004	Arrest Warrant Served/Returned 2/27/04 - Gleason	Kitts, Hanelore
03/02/ 2004	Order Appointing Counsel Private or Public Defender (Ronald Evans for Gleason)	Kitts, Hanelore
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	Application for Appointed Defense Services-Financial Affidavit (Gleason)	Kitts, Hannelore
03/03/ 2004	Entry of Appearance (Ronald F. Evans)	Kitts, Hannelore
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	Hearing Scheduled (Motions 03/31/2004 10:00 am)	Kitts, Hannelore
	Hearing Scheduled (Preliminary Hearing 05/03/2004 09:00 am)	Kitts, Hannelore
03/05/ 2004	Order to Transport - KBI to transport defendant to Pratt Co Jail pending further orders of the Court	Kitts, Hannelore
03/09/ 2004	Order to Convey Issued to KBI Sidney J. Gleason -	Kitts, Hannelore
	Agreement Between the State and the Defendant for Exchange of Discovery and Witness Lists	Kitts, Hannelore
03/19/ 2004	Notice by Sidney J. Gleason of Exercise of Rights (Evans)	Kitts, Hannelore

Motion for Preservation of Physical Evidence/Cert of Service (Evans)	Kitts, Hannelore
Motion for Preservation of Physical Evidence/Cert of Service (Evans)	Kitts, Hannelore
Motion for Preservation and Production of Alleged Statements of the Accused/Cert of Service (Evans)	Kitts, Hannelore
Motion to Record and Transcribe All Proceedings/Cert of Service (Evans)	Kitts, Hannelore
Motion to Require Investigative Officers to Retain Rough Notes and/or Audiotape Notes/Cert of Service (Evans)	Kitts, Hannelore
Motion for Accused to Appear at All Proceedings Without Restraints/Cert of Service (Evans)	Kitts, Hannelore
Motion for Accused to Appear in Civilian Clothing/Cert of Service (Evans)	Kitts, Hannelore

	Motion to Prohibit Seizure of Evidence/Cert of Service (Evans)	Kitts, Hannelore
	Motion to Close the Preliminary Hearing/Cert of Service (Evans)	Kitts, Hannelore
	Motion for Defense Access to Crime Scenes/Cert of Service (Evans)	Kitts, Hannelore
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	State's Response to Defendant's Motion for Preservation of Physical Evidence/Cert of Service	Kitts, Hannelore
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07/27/ 2004	Praeipice for Subpoena; Subpoena Issued to Rice Co (Hrg 8/11/04@11am) 08/03/04 J'Ana L Edwards-RS (Irene Gleason) 7/29/04	Kitts, Hannelore
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03/29/ 2006	Response to Defendant's Motion to Change Venue  Motion for Continuance (Change of Venue)/Notice of Hearing (3/31/06@3pm)/ Exhibit "A"/Exhibit "B" (Accused filing #55)	Kitts, Hannelore  Kitts, Hannelore
03/31/ 2006	Hearing Scheduled (Motion 03/31/2006 03:00 pm)	Kitts, Hannelore

04/13/ 2006	Praeipice for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/19/06 Terry Millard - RS (David Bailey) 4/13/06	Kitts, Hannelore
	Praeipice for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/19/06 Delbert Hawel KBI - RS (Kim Steinert) 4/13/06	Kitts, Hannelore
	Praeipice for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/19/06 William Widiger #343 - PS 4/13/06	Kitts, Hannelore
	Praeipice for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/19/06 Sylvia French aka Sylvia Link - PS 4/14/06	Kitts, Hannelore
	Praeipice for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/17/06 Dr David L Cooper OD - PS 4/17/06	Kitts, Hannelore
04/15/ 2006	State's Response to Defendant's Motion for a Mistrial	Kitts, Hannelore

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04/17/ 2006	Hearing result for Motion held on 03/31/2006 03:00 pm: Hearing Held	Kitts, Hannelore
	Accused's Proposed Jury Instructions - First Phase	Kitts, Hannelore
04/19/ 2006	Question from Jury	Kitts, Hannelore
	Jury Trial - Instruction 1-21	Kitts, Hannelore
	Verdict	Kitts, Hannelore
	Final Panel w/Attached panels 1-4	Kitts, Hannelore
04/21/ 2006	Sentencing Instructions 1-13	Kitts, Hannelore
	Sentencing Verdict	Kitts, Hannelore
	Exhibit File State's Exhibit's 1 -89; 94-102; 105; 107 filed 4/21/06 Defendant Exhibits 2 - 7	Kitts, Hannelore
04/24/ 2006	Hearing result for Jury Trial held on 04/04/2006 09:00 am: Jury Trial - Guilty, Original Charge from 11/1/05	Kitts, Hannelore

	PSI ordered 04-19-2006	Kitts, Hannelore
04/28/ 2006	Order for Transport	Kitts, Hannelore
	Motion for Arrest fo Judgment (Evans)	Kitts, Hannelore
05/09/ 2006	Hearing Scheduled (Sentencing 08/28/2006 01:30 pm)	Kitts, Hannelore
	Notice of Hearing - Sentencing (8/28/06@1:30pm)	Kitts, Hannelore
	Journal Entry of Jury Trial - 4/4/06-4/21/06	Kitts, Hannelore
06/21/ 2006	PSI completed and submitted to Court.	Kitts, Hannelore
06/22/ 2006	Presentence Investigation Report	Kitts, Hannelore
	Confidential PSI Information {CF}	Kitts, Hannelore
	Document sealed	
08/21/ 2006	Victim's Impact and Attitude Statement	Kitts, Hannelore
	Document sealed	
08/24/ 2006	Motion for New Trial Based on Newly Discovered Evidence/Affidavit	Kitts, Hannelore



	State's Response to Defendant's Motion for a New Trial	Kitts, Hannelore
08/27/2006	State's Amended Response to Defendant's Motion for a New Trial	Kitts, Hannelore
08/28/2006	Victim Impact Statement (Shirley Tomlin)	Kitts, Hannelore
	Death Warrant (Certified Copy to Sheriff Causey)	Kitts, Hannelore
	KSG Journal Entry of Judgment - 8/28/06 - Count I, Capital Murder, K.S.A. 21.3439(a)(6), off grid person felony; Death Penalty; Restitution \$10, 891.03; Court Costs \$172.50; BIDS atty fee \$100.00; DNA fee \$100.00; KBI Lab Fee \$400.00; Restitution to be paid to Steve & Becky Wornkey (\$5,891.03) and Crime Victim Compensation Board (\$5,000.00); Count II, Murder in the First Degree, K.S.A. 21.3401(a) off grid person felony; Mandatory minimum of greater of hard 50 years (600) months; Count III, Agg Kidnapping, K.S.A. 21.3421, level 1 person felony; DOC	Kitts, Hannelore

586 months; Postrelease life;  
Count IV, K.S.A. 21.3427,  
level 3 nondrug person felony;  
59 months DOC; Count V,  
Criminal Possession of a  
Firearm, K.S.A. 21.4202(a)(2),  
level 8 nonperson felony; 8  
months DOC

Hearing result for Sentencing  
held on 08/28/2006 01:30 pm:  
Hearing Held

Kitts,  
Hannelore

Notice of Appeal

Kitts,  
Hannelore

Order Appointing Appellate  
Counsel

Kitts,  
Hannelore

Order for Transcript

Kitts,  
Hannelore

**RELEVANT DOCKET ENTRIES****Supreme Court of Kansas****Appellate Case No. 97296*****State of Kansas v. Sidney J. Gleason*****Case Event Detail**

<b>Date</b>	<b>Description</b>
06-APR-15	MEMO NOTATION / Mtn proceed in forma pauperis Granted : Petition for Writ of Cert Granted US S/C
09-FEB-15	ORDER BY THE COURT / Noted: Appellee's Status Rpt filed 2/2/15. Due 5/4/2015 Appellee Status Rpt.
02-FEB-15	STATUS REPORT / State of Kansas
29-JAN-15	MEMO NOTATION / Petition for Writ of Certiorari is Denied : U.S. S/C
08-DEC-14	MEMO NOTATION / Petition for Writ of Certiorari placed on 11/26/14 Docket - U.S. S/C
04-NOV-14	ORDER BY THE COURT / Noted-status report. Next status report due 2/2/2015 - State of Kansas
27-OCT-14	MEMO NOTATION / Petition for Writ of Certiorari placed on 10/20/14 Docket - U.S. S/C

22-OCT-14	STATUS REPORT / STATE OF KANSAS
08-SEP-14	ORDER BY THE COURT / Moot Mtn for Judicial Notice of instruct. in other cap cases-Gleason. Resp noted
03-SEP-14	ORDER BY THE COURT / Noted:Aple Notice of Intent to File Writ/Cert. Due 12/2/2014 Status Rpt - State
08-AUG-14	MEMO MOTION / Notice of intent to file Petition for Writ of Certiorari in U.S.S.C. - State
18-JUL-14	PUBLISHED OPINION / 106 pages - \$26.50
18-JUL-14	JUDGMENT DOCKETED- OPINION FILED / Affirmed in part, vacated in part, & remanded - Per Curiam
08-JUL-14	RULE 6.09(B) LETTER / STATE OF KANSAS
30-DEC-13	RESPONSE- / Judicial Notice Felony Murder Instruction Given In Capital Cases - State
20-DEC-13	MEMO MOTION / Judicial Notice Felony Murder Instruction Given In Capital Cases - S. Gleason
07-NOV-13	SUPPLEMENTAL BRIEF / Resp of State

25-OCT-13	SUPPLEMENTAL BRIEF / SIDNEY J. GLEASON
15-OCT-13	SUPPLEMENTAL BRIEF / State
01-OCT-13	ORDER CONTINUED / Any Appellee reply br due 14 days after service - 10 pg limit
01-OCT-13	ORDER CONTINUED / Gleason Supp br due 30 days after service. (20 pg limit).
01-OCT-13	ORDER - GRANTING MOTION / to file supplemental briefs. Due 10/31/13 State brief 20 pg limit,
18-SEP-13	RULE 6.09(B) LETTER / SIDNEY J. GLEASON
16-SEP-13	RULE 6.09(B) LETTER / STATE OF KANSAS
16-SEP-13	MEMO MOTION / State's Motion for Supplemental Briefing - STATE OF KANSAS
07-NOV-12	RULE 6.09(B) LETTER / STATE OF KANSAS
03-OCT-12	RULE 6.09(B) LETTER / SIDNEY J. GLEASON
02-OCT-12	RULE 6.09(B) LETTER / SIDNEY J. GLEASON
02-OCT-12	RULE 6.09(B) LETTER / SIDNEY J. GLEASON

02-OCT-12	RULE 6.09(B) LETTER / SIDNEY J. GLEASON
02-OCT-12	RULE 6.09(B) LETTER / SIDNEY J. GLEASON
08-AUG-12	CAUSE SCHEDULED FOR HEARING / Set for hearing Friday 10/26/2012 @ 9:00 a.m. (45 mins)
19-JUL-12	REPLY BRIEF / SIDNEY J. GLEASON
21-JUL-12	RECORD RECEIVED - CLERK, DISTRICT COURT / RECEIVED 30 VOLS (3 BOXES), BARTON COUNTY (PER CAROL'S REQUEST)
17-APR-12	BRIEF RECEIVED / State
16-DEC-11	ORDER DENYING EXT. OF TIME FOR BRIEF / as moot-5th ext of time. Due 5/20/12 Br-State, Final ext. Any reply due 7/19/12
16-DEC-11	MEMO ORDER- GRANTING MOTION / To withdraw - Maag for State of Kansas
06-DEC-11	MOTION TO WITHDRAW / Maag For STATE OF KANSAS
06-DEC-11	MEMO ORDER / 12/14/2011 @ 9:30 a.m. telephone status conference with counsel

10-NOV-11	MOT. FOR EXT. OF TIME TO FILE BRIEF / 5th motion - State of Kansas
08-SEP-11	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / Brief due 11/21/2011 - STATE OF KANSAS
08-AUG-11	MOT. FOR EXT. OF TIME TO FILE BRIEF / 4th motion - STATE of Kansas
27-MAY-11	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / BRIEF DUE 8/22/2011 - STATE OF KANSAS
16-MAY-11	MOT. FOR EXT. OF TIME TO FILE BRIEF / 3RD MOTION - STATE
23-FEB-11	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / BRF DUE 05/23/2011 - STATE OF KANSAS
08-FEB-11	MOT. FOR EXT. OF TIME TO FILE BRIEF / 2ND MOTION - STATE OF KANSAS
03-DEC-10	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 2/21/2011 BR-STATE OF KANSAS
18-NOV-10	MOT. FOR EXT. OF TIME TO FILE BRIEF / 1ST MOTION - STATE
25-AUG-10	BRIEF RECEIVED / SIDNEY J. GLEASON - APLE BRF DUE 11/22/2010

25-AUG-10	MEMO ORDER - GRANTING MOTION / IN PART-TO FILE OVERSIZE BR-NOT TO EXCEED 200 PGS--8/10/10 EOT NOTED
10-AUG-10	MEMO MOTION / TO EXCEED BRF PAGE LIMITS - SIDNEY J. GLEASON
10-AUG-10	MOT. FOR EXT. OF TIME TO FILE BRIEF / 15TH MOTION - SIDNEY J. GLEASON
19-JUL-10	CERT. OF COMPLETION OF TRANSCRIPT / FILED 07/19/10 - HERMAN, CSR
25-JUN-10	CSR NOTICE / LTR/RUBIO, CSR - HERMAN CSR FOR 3/5/04 PLEA HRG
25-JUN-10	CERT. OF COMPLETION OF TRANSCRIPT / FILED 06/23/10 - RUBIO, CSR
24-JUN-10	ORDER FOR TRANSCRIPT / DUE 09/27/10 - HERMAN, CSR (3/5/04 GP)
16-JUN-10	ORDER FOR TRANSCRIPT / DUE 09/17/10 - RUBIO, CSR (8/12/04 SENT & 3/5/04 GP)
16-MAR-10	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 8/10/2010 BR-SIDNEY GLEASON



10-FEB-10	MOT. FOR EXT. OF TIME TO FILE BRIEF / 13TH & 14TH MOTION - SIDNEY J. GLEASON
03-SEP-09	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 2/10/2010 BR-SIDNEY GLEASON
10-AUG-09	MOT. FOR EXT. OF TIME TO FILE BRIEF / 11TH & 12TH MOTION - SIDNEY GLEASON
08-JUN-09	MEMO ORDER-DENYING MOTION / TO LIMIT BRIEFS TO 200 PGS, RESPONSE NOTED
03-JUN-09	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 8/10/2009 BR-SIDNEY GLEASON. RESPONSE NOTED & REQ DENIED. REPLY-NOTED
27-MAY-09	RESPONSE- / TO MTN TO LIMIT BRF SIZE - SIDNEY J. GLEASON
20-MAY-09	MEMO MOTION / TO LIMIT BR LENGTH TO 200 PGS - STATE
18-MAY-09	MEMO NOTATION / REPLY TO RESPONSE OF STATE TO EOT - SIDNEY J. GLEASON
14-MAY-09	RESPONSE- / TO MTN FOR EOT - STATE

11-MAY-09	MOT. FOR EXT. OF TIME TO FILE BRIEF / 10TH MOTION - SIDNEY J. GLEASON
24-FEB-09	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 5/11/09 BR - SIDNEY GLEASON
09-FEB-09	MOT. FOR EXT. OF TIME TO FILE BRIEF / 9TH MOTION - SIDNEY J. GLEASON
13-JAN-09	MEMO ORDER / NOTED. ENTRY OF APPEARANCE BY AILSLIEGER
13-JAN-09	ENTRY OF APPEARANCE / AILSLIEGER FOR STATE
26-NOV-08	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 2/9/09 BR - SIDNEY GLEASON
10-NOV-08	MOT. FOR EXT. OF TIME TO FILE BRIEF / 8TH MOTION - SIDNEY J. GLEASON
21-AUG-08	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 11/10/08 BR - SIDNEY GLEASON
11-AUG-08	MOT. FOR EXT. OF TIME TO FILE BRIEF / 7TH MOTION - SIDNEY J. GLEASON
29-MAY-08	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 8/11/2008 BR - SIDNEY GLEASON

20-MAY-08	MEMO ORDER / NOTED-ENTRY OF APPEARANCE BY JARED MAAG.
19-MAY-08	ENTRY OF APPEARANCE / JARED MAAG FOR STATE OF KANSAS
12-MAY-08	MOT. FOR EXT. OF TIME TO FILE BRIEF / 6TH MOTION - SIDNEY GLEASON
22-FEB-08	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 5/12/08 BR-SIDNEY GLEASON
11-FEB-08	MOT. FOR EXT. OF TIME TO FILE BRIEF / 5TH MOTION - SIDNEY GLEASON
26-NOV-07	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 2/11/2008 BR-SIDNEY GLEASON
13-NOV-07	MOT. FOR EXT. OF TIME TO FILE BRIEF / 4TH MOTION - SIDNEY GLEASON
28-AUG-07	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 11/13/2007 BR-SIDNEY GLEASON
14-AUG-07	MOT. FOR EXT. OF TIME TO FILE BRIEF / 3RD MOTION - SIDNEY GLEASON

30-MAY-07	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 8/14/07 BR- SIDNEY GLEASON
16-MAY-07	MOT. FOR EXT. OF TIME TO FILE BRIEF / 2ND MOTION - SIDNEY GLEASON
05-MAR-07	ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 5/16/07 BR- SIDNEY GLEASON
20-FEB-07	MOT. TO FILE BRIEF OUT OF TIME / 1ST MOTION - SIDNEY GLEASON
17-NOV-06	MEMO NOTATION / DUE 2/15/07- BRF OF APLNT
17-NOV-06	CERT. OF COMPLETION OF TRANSCRIPT / FILED 3/21/06 & 11/14/06 - RUBIO, CSR
18-SEP-06	ORDER FOR TRANSCRIPT / DUE 12/19/06 LINDA RUBIO (9/18/06) - CAPITAL CASE
18-SEP-06	ORDER APPOINTING COUNSEL
18-SEP-06	DISTRICT COURT DOCUMENTS / (3)
18-SEP-06	NOTICE OF APPEAL FILED / SIDNEY J. GLEASON
18-SEP-06	DOCKETING STATEMENT / SIDNEY J. GLEASON