

§ 12.41 Motion for Rehearing or Modification

IN THE [COURT OF APPEALS] [SUPREME COURT] OF THE STATE OF KANSAS

[Insert Name],

Plaintiff-Appellee,

vs.

[Insert Appellate Court Case Number]

[Insert Name],

Defendant-Appellant.

MOTION FOR REHEARING OR MODIFICATION

The appellee asks the court to rehear this case or modify its holding because of an incorrect interpretation of the applicable statute.

1. *Background.* The court filed its opinion on [Insert Date.] This motion has been filed within [14 days for Court of Appeals, 21 days for Supreme Court] of the court filing its decision.
2. *Authority.* Supreme Court Rule 7.05 for Court of Appeals, 7.06 for Supreme Court.
3. *Reasons.* The court has ignored precedent and misinterpreted the statute that controls the issue of this case. [Insert specific argument in support of modification.]

Attorney's Signature

/s/ _____

Attorney's Name (typed or printed)

Kansas Attorney Registration Number

Address

Telephone Number

Fax Number

E-mail Address

Name of the Party Represented

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Motion for Rehearing or Modification was sent by [Insert Method] on [Insert Date] to:

[Insert names and addresses of those on whom service is made.]

/s/ _____

Attorney's Name and Registration Number

PRACTICE NOTE: A copy of the Court's opinion must be attached to the motion. Note that the time to file is calculated from the date of decision, not a service date.