Man arrested in KU student’s death kills self in New Jersey

25-year-old Hays woman was found dead on Thursday at suspect’s house in Lawrence

By The Associated Press

LAWRENCE — A man suspected of killing a University of Kansas law student killed himself after being arrested in New Jersey, police say.

Adolfo Garcia-Nunez, 46, was arrested in Elizabeth, N.J., on Friday night, after police found his unoccupied pickup truck in that same town, Lawrence police Sgt. Paul Fellers said in a news release Saturday afternoon. Garcia-Nunez took his own life while he was in custody in New Jersey, Fellers said.

Garcia-Nunez was suspected of killing Jana Mackey, 23, Hays, who was found dead at Garcia-Nunez’s Lawrence home on Thursday, hours after a friend reported her missing. A second-degree murder warrant had been issued for his arrest.

Mackey and Garcia-Nunez, an artist who also went by the name Fito Garche, had recently ended a relationship.

No additional information about Garcia-Nunez’s death or arrest will be available until the Lawrence Police Department’s investigators return from New Jersey, Fellers said.

According to the Kansas Department of Corrections, Garcia-Nunez was sentenced in November 2005 for aggravated assault, aggravated battery and making a false writing. He was paroled the following August.

But Gary Likes, who lived across the street from Garcia-Nunez, was surprised when his neighbor’s name came up in connection with Mackey’s death.

“I saw no signs of this guy being capable of this,” Likes said. “He kept to himself and was very protective of the people around him. He was a very good neighbor.”

Those who knew Mackey said she had been a devoted advocate for women’s rights.

“It appears now she’s been the ultimate victim,” said Sylvie Ruoff, who worked with Mackey in the National Organization for Women, where the second-year law student was dedicated to reducing violence against women. “I really could not believe she got killed because she was just such a remarkable woman.”

Sarah Jane Russell, executive director of the GaDuGi Safe Center, said Mackey had worked as a volunteer advocate for the nonprofit organization, which helps victims of sexual assault. She was still on the list of advocates but was on hiatus during law school, Russell said.
Police: KU suspect killed self

Associated Press

LAWRENCE — A man suspected of killing a University of Kansas law student killed himself after being arrested in New Jersey, police said.

Adolfo Garcia-Nunez, 46, was arrested in Elizabeth, N.J., on Friday night, after police found his unoccupied pickup there, Lawrence police Sgt. Paul Fellers said in a news release Saturday.

Garcia-Nunez took his own life while he was in custody in New Jersey, Fellers said.

Garcia-Nunez was suspected of killing Jana Mackey, 25, of Hays, who was found dead at his Lawrence home on Thursday, hours after a friend reported her missing. A second-degree murder warrant had been issued for his arrest.

Mackey and Garcia-Nunez, an artist who went by Fito Garche, had recently ended a relationship.

No additional information about Garcia-Nunez's death or arrest will be available until the Lawrence Police Department's investigators return from New Jersey, Fellers said.

According to the Kansas Department of Corrections, Garcia-Nunez was sentenced in November 2005 for aggravated

Please see SUSPECT, Page 3B
assault, aggravated battery and making a false writing. He was paroled the following August.

But Gary Likes, who lived across the street from Garcia-Nunez, was surprised when his neighbor's name came up in connection with Mackey's death. “I saw no signs of this guy being capable of this,” Likes said. “He kept to himself and was very protective of the people around him. He was a very good neighbor.”

Those who knew Mackey said she had been a devoted advocate of women's rights. “It appears now she's been the ultimate victim,” said Sylvie Rueff, who worked with Mackey in the National Organization for Women, where the second-year law student was dedicated to reducing violence against women. “I really could not believe she got killed because she was just such a remarkable woman.”

Sarah Jane Russell, executive director of the GaDuGi Safe Center, said Mackey had worked as a volunteer advocate for the nonprofit organization, which helps victims of sexual assault. She was listed as an advocate but was on hiatus during law school, Russell said.

Being an advocate “takes a heart, and it takes being honey on steel, and she had that,” Russell said.

Beth Catefors, supervising attorney for the university's Paul E. Wilson Defender Project, where Mackey was enrolled for the summer, said Mackey was vibrant and had a great sense of humor. “She was a pleasure,” Catefors said. “I always looked forward to walking into class and seeing her smile and hearing what she had to say or hearing her big laugh.”
KU'S UNOFFICIAL MASCOT WHITE OWL FINDS TRUE LOVE ON CAMPUS

BY DAVID KLEPPER
The Kansas City Star

LAWRENCE — White Owl has found his spring chicken, and we're all invited to the wedding.

"I'm blessed," said the Vietnam veteran-turned-free-spirited campus character. "Too blessed to be depressed."

Local music aficionados know White Owl as Jim "Saul" Tucker, the longtime music guru at Pennylane Records in Westport. After an apartment fire prompted a move to Lawrence last year, the 61-year-old reinvented himself as a tie-dyed mascot to the University of Kansas football and basketball teams.

And just over a month ago, he found love in the form of 22-year-old Julia Lee, a university student from Lawrence. The two met after White Owl, who now goes by that American Indian name, spoke in one of Lee's classes. She approached him afterward, and they've been inseparable since, both said.

"She wants to be Ms. White Owl," he said. "She's the greatest friend to me. God has granted my prayers."

He said a few people had questioned the couple's age difference, but "love is love."

For her part, Lee said she felt an immediate connection to White Owl. She said she's unsure why so many people are interested in the engagement. The couple's love story has been written up in the student newspaper, and it's big talk around campus.

"I don't know why there's so much interest, but it's wonderful," Lee said.

Save the date: The wedding is at 2 p.m. July 27 at the Loose Park Rose Garden. White Owl said he's serious when he says "everyone" is invited. He's also serious about the dress code. "I want everybody to dress comfortably," he said. "It'll be hot."

The happy couple plans to roost in Lawrence. Citing the phrase, "Bloom where you are planted," White Owl said, "I'm planted."

Before he took root in Lawrence, White Owl was a familiar face in Westport for the many years he dispensed musical advice to enthusiasts. Since Pennylane Records closed, he worked at other record stores and disc jockeyed at local bars. He worked on a book about the chemical Agent Orange, which he blames for disabling him during Vietnam.

"People down here in Lawrence think they know me the best," he said. "But Kansas City has known me for years."

White Owl said he now feels at home on the KU campus where, thanks to his age, he can audit classes, whichever ones he wants on any given day for free. After befriending student athletes, he became a regular at football and basketball games. White Owl's dances were featured on ESPN, YouTube and in countless photos this year as the Jayhawks won the Orange Bowl and then the national championship in basketball.

County: Lyon
KU student interns with local pharmacy

A University of Kansas pharmacy student will complete an internship at Kay's Pharmacy on Friday.

Khanh Do, of Ho Chi Minh City, Vietnam, has worked with Kay Brunner, PharmD, since June 2.

The 20-year-old intern is residing with Marcus and Peggy Carlson of Lincolnville. As an exchange student, Khanh Do lived with Carlsons during the 2004-05 school year.

After graduating from Centre High School, she attended Emporia State University for two years, majoring in pre-pharmacy. She attended KU last year and will be a senior there this fall.

Khanh Do explained both of her parents are pharmacists in Vietnam and that largely influenced her career choice. Her parents have a family business and she has helped them since she was young.

"I like chemistry and biology a lot, too," she said.

Internships are a required part of the pharmacy program at KU. Next summer, she will intern at a hospital. She also will complete an internship during her final year of school.

"My internship has been exciting. I've learned a lot of new things they don't talk about in class, especially working at an independent pharmacy," said Khanh Do.

She was highly complimentary of her supervisor, Kay Brunner, describing her as very dedicated.

"She really cares for her patients and does the best she can for them," Khanh Do said.

Dr. Brunner has a lot of responsibility in working with an intern. She must supervise all of Khanh Do's work and check each prescription.

Although it's been some extra work, Dr. Brunner said her intern has been a joy. She's excited about the KU internship program, which gives students a chance to experience small communities and independent pharmacies.

Khanh Do said she's enjoyed working with local and area residents because they take time to talk. She noted it's different in big cities.

Her home town is the biggest city in Vietnam. Before coming to Kansas as an exchange student, she'd never ridden a tractor or been close to livestock. She was surprised to see wild deer and turkeys near Carlson's home. Previously, she'd only seen them in zoos.

She'd never experienced snow before. In Vietnam, temperatures rarely drop below 60 degrees.

After graduating from KU, Khanh Do said she will work in the United States for a few years because it is different here from her native country. However, her long-term goal is to return to her home in Vietnam.

Khanh Do said the most important thing she's gained from her internship is the hands-on experience. She's also decided she wants to work in an independent pharmacy rather than a chain store operation.

She said, "I like to listen to people, especially when they have problems and I can help them. It's very rewarding for me."
KHANH DO, a native of Vietnam, is completing a four-week internship at Kay's Pharmacy in Herington this summer. She will be a senior at the University of Kansas this fall.

(Times photo)
June 23, 2008
www.jerrymoran.house.gov

Welcome to “This Week in Congress.” On Thursday, the House passed additional funding legislation to provide for the ongoing military operations in Iraq and Afghanistan. The same bill also placed a moratorium on six Medicaid regulations that would reduce services to seniors and people with disabilities. It also included money to help rebuild from the floods and tornados that hit the Midwest. I hope you find this newsletter useful.

Addressing High Energy and Gas Prices: Kansans are frustrated by the cost of energy, including the high cost of gasoline. I support many proposals in Congress to address escalating prices, but these solutions are going nowhere until there is a collective will to do something about the energy crisis. The will does not currently exist because Republicans and Democrats are trying to posture themselves to deflect blame and capture political gains. I disagree with my colleagues and believe Members of Congress should be solution-minded, not partisan.

The energy challenge requires a diverse solution of developing all available energy resources. While the demand for energy has continued to increase over the years, there has been no significant change in our domestic supply. We must lift federal bans on oil and natural gas exploration in Alaska and off our coasts to increase our domestic supply.

Expanded production of domestic oil and natural gas resources alone cannot solve this problem. The solution must also include initiatives to support renewable energy such as solar, wind, geothermal, hydroelectric and nuclear power, as well as biofuels made in states like Kansas. Energy development must also be accompanied by energy conservation. We must encourage the development and construction of more efficient vehicles and buildings.

If we are to solve this nation’s energy problem, Democrats and Republicans must work together to promote conservation, aggressively pursue forms of renewable energy and develop domestic exploration and production of oil and natural gas.

Click here to read more about my efforts. You may also click here to share your opinion through a poll on my Web site.

Supporting Passage of 21st Century GI Bill: More than 60 years ago, Congress passed the GI Bill to take care of our men and women who served in World War II. This week, I voted for passage of historic changes to modernize the GI Bill. The bill delivers enhanced education benefits to military veterans who have served since September 11, 2001.

The current Montgomery GI Bill is outdated and not meeting many of the needs of service members returning from Iraq and Afghanistan, particularly members of the Guard and Reserve. The new GI Bill will fully fund the cost of a four-year education by providing tuition and fees for enrollment in colleges, monthly housing payments and money for books and supplies. Veterans have up to 15 years after they leave active duty to use the education benefits and those who stay in the military also have the option to transfer their benefits to their spouse and children.

Our soldiers are investing in our country through their service. It is our duty to invest in them by providing these overdue educational benefits. By providing an education, we can turn further investment in our families and communities. It was past time to increase the value of the educational benefit for those putting their lives on the line every day for our freedoms. Click here to read more.

Investigation Finds Tanker Decision Flawed, New Competition Needed: On Wednesday, an independent review by the Government Accountability Office (GAO) confirmed what many Kansans believed to be true since the Air Force announced its decision to award Northrop Grumman and Europe’s EADS the contract to build the new fleet of refueling tankers. The GAO concluded that the Air Force’s selection process was badly flawed and the competition should be redone to give Boeing a fair chance.

Since the tanker contract was awarded several months ago, every conversation I have had with Air Force officials raised more questions than were answered. I agree with this independent finding. The Air Force should follow the GAO’s recommendation and reopen bidding. Awarding this contract to Boeing would create thousands of American jobs, especially in Kansas. But the bigger question is whether we should even allow a foreign-subsidized company to bid for U.S. military work. While the GAO re-
lected the Air Force’s process, Congress needs to address the broader issue of keeping manufacturing jobs in the United States. Click here to view my remarks this week to the House of Representatives.

Introducing Bill to Commend Honor Flight for Service to World War II Veterans: I introduced legislation this week that recognizes the Honor Flight volunteers and donors that make it possible for World War II veterans to visit the World War II Memorial in Washington, D.C. Many World War II veterans are now in their 80s and 90s and unable physically or financially to visit our nation’s capital to see the memorial built in their honor. Honor Flight thanks these patriots for their service by organizing one-day, all-expenses paid trips to the capital.

I have had the honor of greeting veterans at the World War II Memorial who have traveled on Honor Flights. It is a very moving experience as they recount tales of their time in the service. You see the excitement in their eyes and many are moved to tears. The legislation I introduced expresses the House of Representatives’ deepest appreciation to Honor Flight, its volunteers and donors and recognizes former Senator Bob Dole, a wounded veteran of World War II, for leading the fundraising campaign to build the Memorial and for his efforts to promote and support Honor Flight. Click here to read more and click here to view photos of Kansas veterans that have made the Honor Flight trip to our nation’s capital.

Available to Assist Chapman Residents: Despite difficult circumstances, neighbors and friends are already coming together to begin the clean-up and rebuilding process in Chapman. My staff is available to help residents during the next several weeks and months as residents continue the clean-up and recovery process and begin rebuilding.

Monte Shadwick of my office has been in Chapman on multiple occasions this week and is available to assist area residents. He can be reached in the Salina office at 785-309-0572 where he can answer questions and provide recovery information. Click here for information about how to help victims of recent severe weather.

Social Security Administration Makes Progress on Disability Backlog: I recently received an update from the Social Security Administration (SSA) on the status of its effort to reduce the Social Security Disability claims backlog. In August 2007, the American Association of People with Disabilities released a report showing that Kansas had the greatest backlog of citizens waiting to receive a decision from SSA on the status of their disability benefits. Since that time, I have been working with SSA to make sure Kansans begin to receive the timely service they deserve.

The news from SSA is good but there is still a long way to go. SSA is hiring additional judges and staff to hear cases in Kansas and has reduced the number of pending cases in its Wichita office by 14 percent. There are also plans to open five additional hearing offices across the country. One of those offices is planned to be in Topeka, which will further speed up the rate at which cases are heard.

Visiting Kansas Communities: Jetmore: I was in Jetmore on Monday to visit with residents and update them on the latest congressional efforts in Washington, D.C. While in Jetmore, I stopped by the Courthouse, City Hall, Jetmore Lumber, the community’s newspaper, Hastings Realty, Farmers State Bank and Dodge City Co-Op. I also visited with County Attorney Kenton Gleason, local grocer Mark Welbrock and teacher Harmon Bliss. Like all Kansans, the residents of Jetmore take pride in their community and have done a great job of keeping the town looking its best.

Dodge City: After my visit to Jetmore, I drove south to Dodge City for a tour of Koch Nitrogen’s fertilizer production plant and to learn how high fuel and other input costs are affecting Kansas businesses. High fuel and input prices are having a negative effect on all Kansans – from families to businesses. It was useful to hear firsthand how increased prices are affecting the fertilizer and agriculture industry. I also expressed my gratitude to Koch Nitrogen and Koch companies for their plans to build one of the first Habitat for Humanity homes in Greensburg. Koch Nitrogen donated $65,000 to support the project. Hundreds of volunteers from Koch companies in Kansas will participate in the four week build. Thanks to Plant Manager Gary LeRock for arranging the visit.

Also while in Dodge City, I met with Mark Anderson of the Farm Credit Council. We talked about the availability of loans, the farm bill and the upcoming harvest.

Emporia: On Friday evening, I was in Emporia to attend the National Teachers Hall of Fame induction ceremony for five teachers from across the country. The Hall of Fame honors five of the nation’s most outstanding educators each year. Congratulations to this year’s inductees: Ronald J. Blanchard, earth science teacher at Ray D. Molo
Middle School in Lake Charles, Louisiana; Kathleen Faye Engle, physical education teacher at Newcastle Middle School in Newcastle, Wyoming; Dr. Penny B. Ferguson, English teacher at Maryville High School in Maryville, Tennessee; Dr. David Lazerson, special education and music director at The Quest Center in Hollywood, Florida; and Suzanne Ransleben, English teacher at Carroll High School in Corpus Christi, Texas. It was good to see many local supporters at the event, including Emporia State University President Michael Lane and his wife, Peggy. Thanks to Jenny Harder, Director of Induction and Recognition; Glen Strickland, Director of Public Relations; and Stephanie Wade with the Hall of Fame for their efforts on behalf of teachers.

Council Grove: I participated in the Wah-Shun-Gah Days festival in Council Grove on Saturday by riding in the parade and visiting with folks who had come to enjoy the entertainment, food and crafts the festival featured. This annual event is named after the last full-blooded Kaw Indian Chief, Chief Wah-Shun-Gah, and also includes a Pow Wow. I enjoyed the chance to visit with many Kansans. Thanks to David and Sharon Bayer for driving me in the parade. Also along for the ride were their grandchildren, Tyler and Makayla Stone.

In the Office: Members of the Kansas Bankers Association were in to discuss the effects of government regulations on the banking community. In with the group were Michelle Connally of Ellsworth, Jerry Fairbanks and Larry McCants of Goodland, Barney Horton of Atwood, Kendal Kay of Ashland, Robin Lackamp of Concordia, Steve Locke of Junction City, Dave Long of Cimarron, Earl McVicker of Hutchinson, Dick Nichols of McPherson, Frank Reifschneider of Garden City, Rick Smith of Buhrer, Mike Stevens of Sublette, Jeff Van Dyke of Plainville and Doug Wareham of Topeka.

Jim Kistler and John Stolte of Lawrence, Jerry Starkey and Russel Pucket of Kansas City and Rob Piten of Overland Park were in with the Associated Builders and Contractors to advocate for increased investment in our nation’s infrastructure. President Philip Kerstetter and Darrin Russell were in with Kansas Wesleyan University in Salina to tell me about their nursing program and of plans to improve the stadium facility. John Federico and Coleen Jennison of Topeka were in with the Kansas Cable Telecommunications Association to give me an update on their efforts to inform Kansans of the digital television transformation scheduled for next February.

Dennis Hupe of Topeka, Harold Kraus of Hays, Patrick Srin of Wright, Mel Davis of Merriam and Kenlon Johannes of Topeka were in with the Kansas Soybean Association to discuss issues affecting the biodiesel industry. John Schroeppl of Hutchinson was in with Bread for the World to talk about the federal government’s role in hunger relief efforts around the world.

Blue Cross Blue Shield of Kansas President Andy Corbin and Sunee Mickel of Topeka were in to discuss ways to increase access to affordable health insurance. Michelle Sweeney of Topeka, David Wiebe of Olath, Pete and Robert Zevenbergen of Kansas City, Walt Hill of Hays, Jessica Kaye of Newton and Anne Hodgdon of Mission were in with the Association of Community Mental Health Centers of Kansas to talk about the need for better access to mental health services for military veterans and their families. Larry Pitman of Topeka, CEO of the Kansas Foundation on Medical Care, discussed the importance of health care quality improvement in hospitals, nursing homes and health care clinics.

Kathy Wagner and Candee Stuchlick of Wichita, Vicki Worrell of Emporia, Sue Stinson of Shawnee and Kelly Cook of Liberal were in with the Kansas Association of Health and Physical Education to advocate for increased physical education in schools to prevent childhood obesity and decrease health care costs. Kansas University Dean of Education Dr. Rick Ginsberg of Lawrence was in to highlight the School of Education’s successes and upcoming efforts to increase collaboration with other parts of the University.

Diane Forgy of Leawood was in with the National Limousine Association to tell me about the effects of airport fees on limousine companies. Gary Sherman of Hays was in with Eagle Communications to discuss the challenges currently facing the telecommunications industry. Greensburg City Manager Steve Hewitt was in to update me on the rebuilding efforts and progress taking place in Greensburg.

Several Kansans visited my Washington, D.C., office this week for a tour of the United States Capitol, including Lindsay Olsen of Leawood, Shelby Gallion of Massachusetts, Beth Wolfe of Marysville, Peggy Massey of Cedar Vale, David and Rebecca Graham of McPherson, Mike Boetcher and Joan Sauler of Dodge City, Krista Kucharik of Scott City, Mary Ann Hewitt of Overland Park and Austin Coverdell
of Fort Scott. In from Wichita were Diane Loudon, Julie Wismer and Kathy Pfannenstiel. A large group of Kansas high school students were also in to see the Capitol with the Kansas Electric Cooperatives Youth Tour.

Contact Me: It is an honor to serve you in Washington, D.C. Please let me know how I can be of assistance. To send me an email, click here. You can also click here to contact me through one of my Kansas offices or my Washington, D.C., office.
Moundridge Native Establishes KU Scholarship Hall

FOR THE LEDGER

The University of Kansas Department of Student Housing has announced the Krehbiel Men, the students who will form the leadership team for the university's 12th and newest scholarship hall.

The new hall was made possible by a $4 million gift from former Kansas Rep. Carl C. Krehbiel, of Moundridge, to honor his parents, Kathryn Krehbiel and the late Floyd H. Krehbiel. His mother is a 1945 KU liberal arts graduate and his father, who was Battenfeld Scholarship Hall resident, received a KU degree in 1947. Carl Krehbiel is a 1970 KU alumnus who lived in Stephenson Scholarship Hall as a student. His grandfather, also Carl C. Krehbiel, was a 1913 KU alumnus.

The three-story, 18,000-square-foot scholarship hall houses 50 students in two-person rooms and four-person suites.

Krehbiel Scholarship Hall features quiet geothermal heating and cooling systems and exteriors designed to blend with the neighborhood's turn-of-the-century homes.

A committee of university, community and student representatives worked to develop designs that would recognize and preserve the neighborhood's history.

KU Endowment managed the gift and construction of the hall. Founded in 1891, KU Endowment is the first foundation of its kind at a U.S. public university.

The fall semester will begin Aug. 21. Students begin moving Aug. 17 into scholarship and residence halls, including the new $4 million Floyd H. and Kathryn Krehbiel Scholarship Hall on the southwest corner of 13th and Ohio streets — a twin to Dennis E. Rieger Scholarship Hall next door.

The Krehbiel Men received training throughout the 2007-08 academic year to prepare for their leadership roles. This past spring, the Krehbiel Men developed the hall constitution and elected officers.

Stephen "Sai" Folmsbee, a junior from Topeka, was elected the first president of Krehbiel Scholarship Hall.

The men were selected by KU student housing advisers and the president and vice president of the All Scholarship Hall Council.

Applicants were required to take part in an interview and demonstrate previous leadership experience.

Two student leaders fill paid positions with the Department of Student Housing.

Mathew J.L. Shepard, a sophomore from Lenora, will be proctor, and Adam L. Fiedler, a senior from Holton, will be the food board manager.

Scholarship hall residents live cooperatively and share household responsibilities for cooking and cleaning.

Living in a scholarship hall costs about $1,800 less than living in a traditional residence hall.

Applicants submit written essays and references and are selected on the basis of financial need and academic achievement.

All the Krehbiel Men include Casey M. Miles, of Halstead; Adam L. Fiedler, of Holton; Doug W. Brady, of Tecumseh; Nathan Michael George, of Topeka; Corbin G. Spray, of Topeka; Stephen "Sai" Folmsbee, of Topeka; Mathew J.L. Shepard, of Lenora; Paul Tackett, of Wamego; James Gregory, of Omaha, Neb.; Nathan Paul Salazar, of Santa Cruz, N.M.; and Esaú Julio Ramirez Masco, of Ilo, Peru.
Dickinson County officers graduate from law enforcement training

Paul A. Weishaar of the Abilene Police Department and Jonathan R. Thiel of the Herington Police Department are graduates of the 196th Basic Training Class of the Kansas Law Enforcement Training Center which is offer through the University of Kansas.

The class is a 14-week class that met at the KLETC training center in Reno County from Feb. 4 to May 9.
Court denies hearing for tuition case

Immigrants: No reasons given for denial of challenge.

By SARAH KESSINGER
kessinger@dailynews.net

TOPEKA (HNS) — The U.S. Supreme Court on Thursday denied an immigration reform group's request for a hearing to challenge Kansas' in-state tuition law for illegal immigrants.

It was the third time a court had rejected such a bid in the case, which the plaintiffs' attorney said was no surprise.

"The odds of the Supreme Court taking this up were extremely slim," said Kris Kobach, immigration law professor at the University of Missouri-Kansas City and a lead counsel in the case.

The 2004 law allows the children of undocumented workers to pay in-state tuition at public colleges and universities if they have attended high school in Kansas for at least three years and have earned a diploma or general education development certificate.

The students must sign an affidavit confirming they will seek U.S. citizenship when they become eligible. About 200 students each year have attended college under the statute, according to the Kansas Board of Regents.

Supporters of the law were pleased with Thursday's order.

"It is huge," said Ian Bautista, who led El Centro, a Kansas City immigrant rights organization, when the lawsuit was filed. "It puts the state statute to allow students to attend in-state colleges and universities on very solid ground."

The case originated in 2004 on behalf of the Washington, D.C.-based Federation for American Immigration Reform. The group represent-
Immigrants: Court denies tuition law appeal/

Continued from Page A1

ed several students paying out-of-state tuition at Kansas State University and the University of Kansas. They alleged the law was unfair because it denied them the right to pay in-state tuition, which is much less expensive.

Defendants in the case, including the state’s Board of Regents, argued that the plaintiffs had the right to pay in-state tuition in their home states.

The case was rejected at both the U.S. district court and appellate court levels. Judges in those cases ruled that the plaintiffs lacked “standing,” meaning that they were not affected by the law.

Kobach, who is also the Kansas Republican Party chairman, made a last-ditch effort last year to gain an audience before the nation’s highest court.

The court on Thursday denied Kobach’s petition for a writ of certiori, a requirement for the court to hear the case. The order contained no reason for denial.

The high court receives about 8,000 requests for hearings each year and only accepts about 1 percent, Kobach said.
University takes retail shop to court

LAWRENCE (AP)- The University of Kansas' athletic department is taking a Lawrence clothing store to federal court this week, seeking an order banning the store from selling unlicensed Jayhawk-related merchandise.

While Kansas has gained newfound popularity this year with its success in football and a national championship in men's basketball, department officials say their lawsuit isn't about timing but protecting their right to manage, license and benefit from the university's image and its teams.

"It's not more important now than it was a year ago or two years ago, but the success that we've enjoyed this year certainly highlighted the importance of this issue," said Jim Marchiony, associate athletics director.

"From our perspective, what's at stake is the use of our marks and the goodwill and good name of the University of Kansas ... That's what this is about."

Larry Sinks, who sells unlicensed shirts online and through his Joe-College.com store, disagrees.

He sees the university's lawsuit as an attack on his First Amendment rights, noting that he has purposely avoided using any marks that are protected by the university, such as the Jayhawk mascot or the words "The University of Kansas."

"We're just prepared to fight the fight," he said.

"I'm a taxpayer in this state, and I have been for many years, and I feel I have the right to use my state name on a shirt anytime I want." The university argues that Sinks' shirts are close enough to the university's own offerings to confuse customers into thinking he's selling officially licensed apparel.
University seeks ban on unlicensed shirts

LAWRENCE, Kan. (AP) — The University of Kansas' athletic department is taking a Lawrence clothing store to federal court this week, seeking an order banning the store from selling unlicensed Jayhawk-related merchandise.

While Kansas has gained newfound popularity this year with its success in football and a national championship in men's basketball, department officials say their lawsuit isn't about timing but protecting their right to manage, license and benefit from the university's image and its teams.

"It's not more important now than it was a year ago or two years ago, but the success that we've enjoyed this year certainly highlighted the importance of this issue," said Jim Marchiony, associate athletics director. "From our perspective, what's at stake is the use of our marks and the goodwill and good name of the University of Kansas ... That's what this is about."

Larry Sinks, who sells unlicensed shirts online and through his Joe-College.com store, disagrees. He sees the university's lawsuit as an attack on his First Amendment rights, noting that he has purposely avoided using any marks that are protected by the university, such as the Jayhawk mascot or the words "The University of Kansas."

"We're just prepared to fight the fight," he said. "We feel it's our freedom of speech to say what we say on our shirts. ..."

"I'm a taxpayer in this state, and I have been for many years, and I feel I have the right to use my state name on a shirt anytime I want."