

UNITED STATES DISTRICT COURT

DISTRICT OF KANSAS

JUDGMENT IN A CIVIL CASE

In Re:

**DONALD KENTON KESTER and
CHARLOTTE Y. KESTER,**

Bankruptcy Case 02-24689

Debtors,

DONALD KENTON KESTER,

Appellant,

v.

CIVIL NO.05-2053-CM

KMDI, Inc., et al,

Appellees,

- () **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- (x) **DECISION BY THE COURT.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED pursuant to the Memorandum and Order filed January 10, 2006 and entered on the docket January 12, 2006, the appeal in this matter is dismissed and the case is remanded to bankruptcy court for further proceedings.

Dated: January 12, 2006

RALPH L. DeLOACH, CLERK

/s/Yolanda J. Holman

Yolanda J. Holman, Deputy Clerk

ENTERED ON THE DOCKET DATE: 1/12/06