

FEB 19 2003

**BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS**

**KANSAS STATE BOARD OF  
HEALING ARTS**

**In the Matter of** )  
 )  
**SAM ELASHKAR, D.C.,** )  
**Applicant for Kansas License** )  
\_\_\_\_\_ )

**Docket No. 02-HA-22**

**FINAL ORDER**

NOW ON THIS 15th Day of February 2003, this matter comes before the Board to assess costs in the proceeding in which the application for a license to practice chiropractic by Applicant Sam Elashkar, D.C. was denied. Applicant appears through Alma Whitelaw, Attorney at Law. Kelli J. Benintendi, Associate Counsel, appears for the Board.

Having heard the statements of the parties, and having the agency record before it, the Board finds, concludes and orders as follows:

1. The Board issued a Final Order dated December 17, 2002 modifying the Initial Order dated November 15, 2002 and denying the application of Sam Elashkar, D.C. for a license to practice chiropractic.
2. The December 17 Final Order assessed costs against Applicant, and authorized Board counsel to submit a statement of costs.
3. Board counsel submitted a statement of costs on January 28, 2003. That statement identified as costs the transcript and court reporter fees from the formal hearing on April 16, 2002 in the amount of \$303.50, and the transcript and court reporter fees from the review of the Initial Order on December 14, 2002 in the amount of \$164.25 for a total of \$467.75.
4. The Board concludes that assessment of the costs of making the transcript and court reporter fees is appropriate under K.S.A. 65-2846.

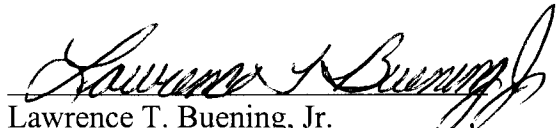
5. Applicant should be ordered to pay costs in the amount of \$467.75 within 30 days following the effective date of this order.

**IT IS, THEREFORE, ORDERED** that Sam Elashkar, D.C. is assessed costs of this proceeding in the amount of \$467.75, and that these costs shall be paid within 30 days following the effective date of this order.

**PLEASE TAKE NOTICE** that this is a Final Order. A Final Order is effective upon service. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-610, et seq. Reconsideration of the Final Order may be requested, but such request is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon the Board's executive director at 235 S. Topeka Blvd., Topeka, KS 66603.

**Dated this 18<sup>th</sup> Day of February 2003.**

Kansas State Board of Healing Arts

  
Lawrence T. Buening, Jr.  
Executive Director

**Certificate of Service**

I certify that the foregoing Final Order was served this 19<sup>th</sup> day of February ~~2002~~<sup>2003</sup> by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Sam Elashkar, D.C.  
4714 Booth Avenue  
Westwood, Kansas 66205

William J. Pauzauskie  
Alma Whitelaw  
216 SW 7<sup>th</sup> Street  
Topeka, KS 66603

and a copy was hand-delivered to:

Kelli J. Benintendi  
Associate Counsel  
235 S. Topeka Blvd.  
Topeka, Kansas 66603

  
\_\_\_\_\_