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JUN 27 1995

**KANSAS STATE BOARD OF
HEALING ARTS**

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

IN THE MATTER OF)
)
MERLE J. FIESER, M.D.) Case No. 94-00258
Kansas License No. 04-18324)
_____)

ORDER OF DISMISSAL WITHOUT PREJUDICE

COMES NOW, on this 27th day of June, 1995, the Kansas State Board of Healing Arts ("Board"), the agency head in the formal proceedings now pending. After reviewing the file and being otherwise duly advised in the premises, the agency head finds and orders as follows:

1. That a Stipulation and Agreement and Enforcement Order ("Stipulation") was filed in the above-captioned matter on June 26, 1995.

2. That in Paragraph 6 of the Stipulation, it was provided that the purpose and intent of the Stipulation was to provide for settlement in lieu of continuation of formal proceedings and/or the making of findings by the Board.

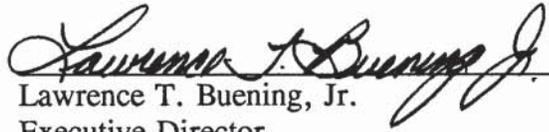
3. That in Paragraph 6 of the Stipulation, Merle J. Fieser ("Licensee") agreed to certain limitations, restrictions and conditions of her practice of medicine and surgery in the State of Kansas.

4. That by Licensee's agreement of such limitations, restrictions and conditions, and the Board's acceptance of such agreement, the issues raised by the Emergency Petition and the Petition to Revoke, Suspend or Otherwise Limit Licensure need not be litigated at this time. However, it may be necessary to raise such issues in the future, pursuant to Paragraph (d)(ii).

IT IS THEREFORE ORDERED that the formal proceedings in the above-entitled matter be dismissed without prejudice.

IT IS SO ORDERED.

KANSAS STATE BOARD OF HEALING ARTS


Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing was deposited in the United States mail, first-class postage prepaid, on this 27th day of June, 1995, addressed to the following:

Eldon Boisseau
Turner & Boisseau
825 N. Waco
Wichita, Kansas 67203

Merle Fieser
4805 Quail Creek
Great Bend, Kansas 67530

Brian Wright
Turner & Boisseau
3900 Broadway
Great Bend, Kansas 67530

Judge Michael Barbara
Washburn University School of Law
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Topeka, Kansas 66621-1140

Jerry R. Palmer
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Columbian Bldg., Suite 102
112 W. 6th Street
Topeka, Kansas 66603-3810

and a copy was hand-delivered to:

Kevin K. LaChance
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603-3068