

FILED

BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

JUN 10 1994

**KANSAS STATE BOARD OF
HEALING ARTS**

IN THE MATTER OF)
)
Samuel Moessner, M.D.)
Applicant for Reinstatement)
License #04-22492)
_____)

Case #93-00177

ACCEPTANCE OF WITHDRAWAL OF APPLICATION

NOW, on this 3rd day of June, 1994, comes on for consideration before the Kansas State Board of Healing Arts ("Board") sitting as a whole in conference proceeding the Application for Reinstatement of License Number 04-22492, filed by Samuel Moessner, M.D. ("Applicant"). On April 22, 1994, Applicant filed a Withdrawal of Application for Reinstatement. The Board appears by and through its attorney, Kevin K. LaChance, Disciplinary Counsel. Applicant does not appear; counsel for Applicant, Mr. Steve A. Schwarm, does not appear, but has presented the withdrawal of application for reinstatement and agrees to this conference hearing without representation of Applicant.

The Board further notes that Applicant's request to withdraw his application for reinstatement from consideration by the Board does not unilaterally divest the Board of jurisdiction over Applicant. In effect, the proffered withdrawal acts as a request for withdrawal of application for reinstatement.

After consideration of the withdrawal of application for

ACCEPTANCE OF WITHDRAWAL OF APPLICATION

Samuel E. Moessner, M.D.

reinstatement from applicant, it is the order of the Board that the Board accepts Applicant's request for withdrawal of his application without prejudice to any issues outstanding regarding Applicant's application. This is a non-disciplinary action.

IT IS FURTHER ORDERED that the formal proceedings pending in the abovecaptioned matter should be dismissed without prejudice to Applicant filing a new application and the presiding officer discharged from any further obligation to conduct any proceedings.

IT IS SO ORDERED.

Dated this 10th day of June, 1994.

KANSAS STATE BOARD OF HEALING ARTS


LAWRENCE T. BUENING, JR.
Executive Director

ACCEPTANCE OF WITHDRAWAL OF APPLICATION
Samuel E. Moessner, M.D.

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts, do hereby certify that on this 10th day of June, 1994, a true and correct copy of the **ACCEPTANCE OF WITHDRAWAL OF APPLICATION** was deposited in the United States mail, postage prepaid, first class to the following:

Samuel E. Moessner, M.D.
3434 Stonehenge Drive
Manhattan, Kansas 66502-2137

Mr. Steve Schwarm, Esq.
Goodell, Stratton, Edmonds & Palmer
515 S. Kansas Avenue
Topeka, Kansas 66603-3999

and a copy was hand-delivered to:

Kevin K. LaChance
Disciplinary Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603


LAWRENCE T. BUENING, JR.
Executive Director