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**IN THE THIRD JUDICIAL DISTRICT COURT OF KANSAS,
SHAWNEE COUNTY**

In the matter of the)
Wrongful conviction of)
FLOYD SCOTT BLEDSOE)

Case No. 2018-CV-000539

JOURNAL ENTRY OF JUDGMENT

Floyd Scott Bledsoe (“The Claimant” or “Claimant”), filed an action for relief under 2018 Kansas Laws Ch. 108 (H.B. 2579), now codified at K.S.A. 60-5004 (“the Statute”). At this time, the Court finds and orders as follows:

1. The Claimant was arrested in Jefferson County, Kansas no later than November 13, 1999, by the Jefferson County Sheriff’s Office and charged with the crimes of first-degree murder, aggravated kidnapping, and aggravated indecent liberties with a child.

2. The Claimant was convicted of the charges on April 28, 2000 and sentenced to life imprisonment for the first-degree murder charge, 155 months’ imprisonment for the kidnapping charge, and 41 months’ imprisonment for the indecent liberties charge, all to be served consecutively.

3. The Claimant did not commit the crimes for which he was convicted and sentenced.

4. The Claimant was not an accessory or accomplice to the acts that were the basis of the conviction.

5. The Claimant did not commit or suborn perjury, fabricate evidence, or by the Claimant’s own conduct cause or bring about the conviction.

6. The Claimant was imprisoned from the date of his arrest no later than November 13, 1999 through his conviction on April 8, 2000, until his release on September 22, 2008 (3,236 days in total).

7. The Claimant was temporarily released on a federal district court's writ of habeas corpus on September 22, 2008, but his convictions were reinstated by the United States Court of Appeals for the Tenth Circuit and he was remanded into custody on June 26, 2009. During that time period (277 days in total), the Claimant was subject to other confinement by conditions of his bond.

8. The Claimant was again remanded into custody and imprisoned from June 26, 2009 to December 8, 2015 (2,356 days in total).

9. The Claimant's conviction was vacated on December 8, 2015, and the charges against him were dismissed.

10. Having made these findings, the court grants Claimant relief as follows:

A. The Claimant is hereby granted a certificate of innocence. The Certificate of Innocence shall be a separate document as described in subsection (g) of the Statute.

B. The Claimant is the plaintiff in a pending lawsuit in the United States District Court for the District of Kansas, *Floyd S. Bledsoe v. Jefferson County, Kansas, et al.*, Case No. 2:16-CV-02296. On May 17, 2019, the court in the federal lawsuit entered an Order For Preservation of Evidence ("Federal Order"). A copy of the Federal Order is attached hereto as "Exhibit A" and is incorporated and adopted by reference in this Journal Entry of Judgment.

C. The preservation provisions contained in paragraph 2 of the Federal Order shall not preclude the Kansas Bureau of Investigation (KBI) from complying with an

order of expungement as contemplated in subsection (h) of the Statute. The KBI is hereby specifically authorized and ordered to purge Floyd S. Bledsoe's conviction, arrest, and DNA profile record information from the criminal justice information system central repository and all applicable state and federal databases, in accordance with K.S.A. 21-2511, and amendments thereto. Any and all physical evidence or biological sample, including any DNA sample from Floyd S. Bledsoe, shall remain in the KBI's custody until the conclusion of this litigation, including all appeals. Further, the KBI, per its protocol when purging records in accordance with subsection (h) of the Statute, shall maintain a digital image of any records so purged, including but not limited to a digital image of criminal history records previously maintained in the central repository relating to Floyd S. Bledsoe's DNA profile, arrest, prosecution, and conviction for the murder of Zetta Camille Arfmann. This digital image shall be accessible only internally by authorized KBI employees, shall be retained and accessed only for use in *Bledsoe v. Jefferson County, et al.*, Case. No. 2:16-CV-02296 (D. Kansas) and any related appeals, and for no other purpose, and shall not be reported out to anyone else inquiring as to Floyd S. Bledsoe's criminal history record information unless in the ordinary course of discovery in the federal lawsuit or as otherwise ordered by the Court.

D. Claimant is granted total compensation of \$1,038,526.95, comprising the following awards:

i. The statutory compensation for wrongful convictions is \$65,000 per year of imprisonment. Based on the above findings, Claimant is granted a total of \$995,835.60 for the years he was wrongfully imprisoned.¹

¹ 5592 days * (65,000/365)

ii. The statutory compensation for wrongful convictions is \$25,000 per year of other confinement. Based on the above findings, Claimant is granted a total of \$18,972.60.²

iii. The Court awards Claimant's legal fees of \$18,543.75 for 49.45 hours of work by attorney Ruth Brown, and \$5,175 for 13.8 hours of work by attorney Alice Craig.

iv. Claimant is granted counseling assistance pursuant to subsection (e)(4)(B) of the Statute.

v. Claimant shall be permitted to participate in the state health care benefits program, as mandated by subsection (e)(4)(D) of the Statute for plan years 2019-2020. The Claimant shall have 31 calendar days from the entry of judgment herein to complete or decline enrollment in the state health care benefits program and shall be subject to the plan limitations described in K.S.A. 75-6501(g). The cost for the Claimant's premiums to participate in the program shall be paid by the state tort claims fund. The Claimant shall be responsible for paying any co-payments, deductibles and any other related costs under the state health care program.

vi. Claimant shall receive a waiver of tuition and required fees for attendance at a postsecondary educational institution for up to 130 credit hours, as mandated by subsection (e)(4)(C) of the Statute, pursuant to the terms and conditions set forth in K.S.A. 74-32,195. The Claimant shall further be entitled to petition the state board of regents for additional reimbursement of additional fees

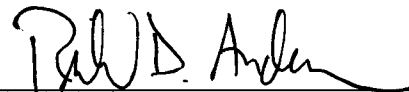
² 277 (days of other confinement) * (25,000/365)

incurred for postsecondary education, including, but not limited to, fees for room and board, technical equipment and course-required books.

A lump sum payment is in the best interests of the Claimant, and thus the award is to be paid in a lump sum payment without unnecessary delay after review by the state finance council.

E. If, after the judgment for payment of the monetary benefit set forth above, the Claimant wins a monetary award against the state or any political subdivision thereof in a civil action related to the same subject, or enters into a settlement agreement with the state or any political subdivision thereof related to the same subject, the Claimant shall reimburse the state for the sum of the money paid pursuant to this judgment, less any sums paid to attorneys or for costs in litigating the other civil action or obtaining the settlement agreement. A reimbursement required pursuant to this paragraph E shall not exceed the amount of the monetary award the Claimant wins for damages in the other civil action or the amount received pursuant to the settlement agreement.

IT IS SO ORDERED, this 22 day of May, 2019.



~~Franklin R. Theis~~
Judge of the District Court
Division Seven

Approved By:

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**IN THE THIRD JUDICIAL DISTRICT COURT OF KANSAS,
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In the matter of the)
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FLOYD SCOTT BLEDSOE)
)
)

ORDER FOR EXPUNGEMENT

At this time, the Court considers the Petition for Expungement filed herein pursuant to 2018 Kansas Laws Ch. 108 (H.B. 2579).

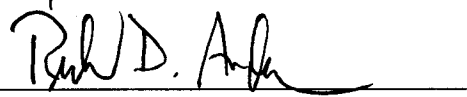
The Court finds as follows:

1. The full name of the Claimant is Floyd Scott Bledsoe.
2. The Claimant is a white male whose date of birth is September 2, 1976.
3. The Claimant was arrested in Jefferson County, Kansas on or about November 13, 1999, by the Jefferson County Sheriff's Office and charged in *Kansas v. Bledsoe*, Case No. 99CR325 (Jefferson Cty.) with the crimes of first degree murder, aggravated kidnapping, and aggravated indecent liberties with a child.
4. The Claimant was convicted of the charges on April 28, 2000.
5. The Claimant's conviction was vacated on December 8, 2015.
6. The Court has found the Claimant innocent of the crimes of which he was convicted. A Certificate of Innocence will be submitted to the Court simultaneously with this Order for the Court's approval.

7. Pursuant to Kansas Laws Ch. 108 (H.B. 2579), now codified at K.S.A. 60-5004, the Court is empowered to expunge the wrongful arrest and conviction from the Claimant's record.

IT IS THEREFORE ORDERED that the Petitioner's arrest record and conviction herein, named above, shall be expunged. The Clerk of the District Court, upon receipt and filing herein, shall send a certified copy of the Order of Expungement to the Kansas Bureau of Investigation which shall notify the Federal Bureau of Investigation, the Secretary of Corrections, and any other criminal justice agency which may have a record of the arrest, conviction or diversion described herein.

IT IS SO ORDERED, this 22 day of May, 2019.


Franklin R. Theis
Judge of the District Court
Division Seven

Approved By:

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FLOYD SCOTT BLEDSOE)

CERTIFICATE OF INNOCENCE AND ORDER

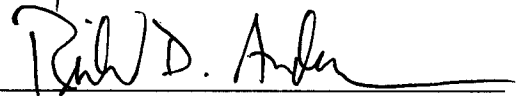
Floyd Scott Bledsoe, (“the Claimant” or “Claimant”), filed an action for relief under 2018 Kansas Laws Ch. 108 (H.B. 2579), now codified at K.S.A. 60-5004 (“the Statute”). The Court finds and orders as follows:

1. The Claimant was convicted by the State of Kansas in the County of Jefferson of multiple felonies arising from the death of Zetta Camille Arfmann, and subsequently imprisoned.
2. The Claimant did not commit the offenses for which he was convicted.
3. The Claimant was not an accessory or accomplice to the acts that were the basis of the conviction.
4. The Claimant did not commit or suborn perjury, fabricate evidence, or by the Claimant’s own conduct cause or bring about the conviction.
5. The Claimant’s conviction was vacated and the charges against him dismissed.
6. The Claimant, who was convicted, imprisoned and released from custody before July 1, 2018, timely commenced this action prior to July 1, 2020.
7. The State of Kansas does not oppose the Claimant’s action for relief.

IT IS THEREFORE ORDERED as follows:

That the Petition for Certificate of Innocence is GRANTED.

IT IS SO ORDERED, this 22 day of May, 2019.



~~Franklin R. Theis~~
Judge of the District Court
Division Seven

Approved By:

s/ Joshua Loevy

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