

Reversal in Kent Case Ruling

Cleveland

Upsetting the doctrine that states enjoy sovereign immunity, a state appeals court ruled yesterday that Ohio can be sued for the shooting deaths of four Kent State university students by National Guards-

men.

The 8th district appellate court, by a 2-to-1 decision, ordered a suit filed by Arthur Krause, Pittsburgh, father of one of the students killed May 4, 1970, sent back to a lower court for re-argument. The ruling was expected to

be appealed to the Ohio Supreme Court.

Krause, whose daughter, Allison, 19, was killed, had filed a \$2 million wrongful death suit in Cuyahoga county common pleas court. Judge George J. McMonagle dismissed the suit on grounds

the state could not be sued because it had sovereign immunity.

Appeals Judges Jack G. Day and Alvin I. Krenzler said the lower court had erred and declared:

"The state of Ohio is responsible

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