

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT  
1300 OAK STREET  
KANSAS CITY, MISSOURI 64106**

**DIVISION 1**

**ANTHONY REX GABBERT, PRESIDING JUDGE  
VICTOR C. HOWARD, JUDGE  
CYNTHIA MARTIN, JUDGE**

**DIVISION 2**

**MARK D. PFEIFFER, PRESIDING JUDGE  
LISA WHITE HARDWICK, JUDGE  
JAMES E. WELSH, JUDGE**

**DIVISION 3**

**JOSEPH M. ELLIS, PRESIDING JUDGE  
KAREN KING MITCHELL, JUDGE  
GARY D. WITT, JUDGE**

**DIVISION 4**

**ALOK AHUJA, CHIEF JUDGE, PRESIDING  
THOMAS H. NEWTON, JUDGE  
JAMES F. KANATZER, SPECIAL JUDGE**

**NOTICE TO COUNSEL**

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

***DIVISION 1: THIS DIVISION WILL SIT ON DECEMBER 2<sup>ND</sup>, 2015 WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.***

***DIVISION 2: THIS DIVISION WILL SIT ON DECEMBER 3<sup>RD</sup>, 2015 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.***

***DIVISION 3: THIS DIVISION WILL SIT ON DECEMBER 16<sup>TH</sup>, 2015 WITH ONE DOCKET CALL AT 9:00 A.M.***

***DIVISION 4: THIS DIVISION WILL SIT ON DECEMBER 8<sup>TH</sup>, 2015 WITH ONE DOCKET CALL AT 9:00 A.M.***

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

**PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:**

**In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.**

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

**Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).**

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

**DIVISION 2**

**MARK D. PFEIFFER, PRESIDING JUDGE**

**LISA WHITE HARDWICK, JUDGE**

**JAMES E. WELSH, JUDGE**

**DECEMBER, 2015**

**IMPORTANT NOTE**

**THIS DIVISION WILL SIT ON DECEMBER 3<sup>RD</sup>, 2015 WITH  
DOCKET CALLS AT 9:00 AND 10:30 A.M.**



**PLEASE NOTE LOCATION, TIME AND DATE OF YOUR ARGUMENT. THIS  
INFORMATION IS LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR  
CASE IS LISTED.**



**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**3-Dec-2015 09:00**

**DIVISION 2**

**Western District Ct of Appeals**

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**1. WD78673**

**PLATTE COUNTY CIRCUIT COURT**

**H DAVID ROY, APPELLANT,  
vs  
MBW CONSTRUCTION, INC., ET AL., RESPONDENTS.**

H DAVID ROY, Appellant  
STEPHEN WAYNE NICHOLS  
KEITH MCCONNELL, Respondent  
BREAHN ROSE VOKOLEK  
GARY KEVIN PATTON  
MBW CONSTRUCTION, INC., Respondent  
BREAHN ROSE VOKOLEK  
GARY KEVIN PATTON

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**2. WD78530**

**JACKSON COUNTY CIRCUIT COURT**

**RICHARD SHORE, M.D., APPELLANT,  
vs  
THE CHILDREN'S MERCY HOSPITAL, ET AL., RESPONDENTS.**

RICHARD SHORE, Appellant  
RUSSELL MARK NASTEFF  
GERALD WOODS, Respondent  
JULIANNE P STORY  
CHILDREN'S MERCY HOSPITAL, Respondent  
JULIANNE P STORY

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**3-Dec-2015 09:00**

**DIVISION 2**

**Western District Ct of Appeals**

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**3. WD78309**

**JACKSON COUNTY CIRCUIT COURT**

**JANICE TURNER, RESPONDENT,  
vs  
KANSAS CITY PUBLIC SCHOOLS, APPELLANT.**

KANSAS CITY, MISSOURI SCHOOL DISTRICT, Appellant

SHANA JERENE LONG

STEPHEN ROOSEVELT WILLIAMS

IVAN LAMAR NUGENT

JANICE TURNER, Respondent

RANDALL WAYNE BROWN

JOSEPH KENNETH EISCHENS

STEPHEN C. THORNBERRY

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**3-Dec-2015 10:30**

**DIVISION 2**

**Western District Ct of Appeals**

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**1. WD78047**

JACKSON COUNTY CIRCUIT COURT

**CARY NEWSOME, RESPONDENT,  
vs  
KANSAS CITY MISSOURI SCHOOL DISTRICT, APPELLANT.**

KANSAS CITY, MISSOURI SCHOOL DISTRICT, Appellant  
SHANA JERENE LONG  
TYSON HOLLIS KETCHUM  
JEFFERY THOMAS MCPHERSON  
CARY NEWSOME, Respondent  
ERIC WATKINS SMITH  
RAYMOND ALLAN DAKE  
ATHENA MARIE DICKSON  
RIK N SIRO

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**2. WD78624**

ADAIR COUNTY CIRCUIT COURT

**UNION ELELCTRIC COMPANY D/B/A AMEREN MISSOURI, RESPONDENT,  
vs  
A.P. READ HOMES, LLC, APPELLANT.**

A. P. READ HOMES, LLC, Appellant  
LANCE MATTHEW MCCLAMROCH  
UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI, Respondent  
STEPHEN JOSEPH BARBER

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**3. WD77877**

CLAY COUNTY CIRCUIT COURT

**LAURENCE C HAYS, II #1015895 (29.15), APPELLANT,  
vs  
STATE OF MISSOURI, RESPONDENT.**

LAURENCE CLEO HAYS II, Appellant  
DAMIEN SEPHER BHAKTI DE LOYOLA  
STATE OF MISSOURI, Respondent  
EVAN JOSEPH BUCHHEIM

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