

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

COLLINS-CAMDEN PARTNERSHIP, L.P.,	)	No. ED100357
	)	
	)	
Plaintiff/Appellant,	)	Appeal from the Circuit Court of
v.	)	Jefferson County
	)	
COUNTY OF JEFFERSON, MISSOURI, and JEFFERSON COUNTY COUNCIL MEMBERS DON BICKOWSKI, RENEE REUTER, BOB BOYER, CHARLES GROETEKE, TERRI S. KREITLER, CLIFF LANE and KELLY WAYMON,	)	Hon. David B. Tobben
	)	
	)	
Defendants/Respondents.	)	Filed: March 25, 2014

Collins-Camden Partnership L.P. (Appellant) appeals from the trial court's Order and Judgment granting the Motion to Dismiss of the County of Jefferson, Missouri, and Jefferson County Council Members Don Bickowski, Renee Reuter, Bob Boyer, Charles Groeteke, Terri S. Kreitler, Cliff Lane and Kelly Waymon (collectively Respondents).

AFFIRMED.

Division Two Holds: Appellant's petition sounds in tort which fails to state a claim against Respondents due to their sovereign and official immunity from tort claims under Missouri law. Appellant's claim against Respondents for a violation of its right to due process is waived because raised for the first time on appeal. Even if the Court liberally construes the factual allegations in Appellant's petition as asserting a claim for violation of due process, Appellant requests relief in the form of money damages. Suits for monetary damages by private individuals resulting from violations of the Missouri Constitution are unprecedented.

Opinion by: Sherri B. Sullivan, J.    Lawrence E. Mooney, P.J., and Robert G. Dowd, Jr., J., concur.

Attorneys for Appellant: Robert K. Sweeney and Allison Sweeney  
Attorneys for Respondents: Robert J. Krehbiel and Jacob D. Curtis

<p><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b></p>
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