

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

JEROME KEENEY, JR.,)	ED101981
)	
Plaintiff/Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
v.)	
)	
TIM FITCH, SUPERINTENDENT OF)	Honorable Robert S. Cohen
POLICE, ST. LOUIS COUNTY and)	
COLONEL RONALD REPLOGLE,)	
SUPERINTENDENT, MISSOURI)	
HIGHWAY PATROL,)	
)	
Defendants/Respondents.)	Filed: March 24, 2015

Jerome Keeney, Jr. (Appellant) appeals from the trial court’s summary judgment entered in favor of Tim Fitch, Superintendent of Police, St. Louis County and Colonel Ronald Replogle, Superintendent, Missouri Highway Patrol on Appellant’s Petition for Declaratory Judgment.

REVERSED and REMANDED.

Division Two Holds: Appellant’s 1989 conviction by way of guilty plea to attempt sexual misconduct is a historical fact; but because the law on which it is based was repealed by the Missouri legislature and deemed unconstitutional by the United States Supreme Court as criminalizing behavior that is legal, Appellant is not required to register as a sex offender under SORNA.

Opinion by: Sherri B. Sullivan, P.J. Mary K. Hoff, J., and Philip M. Hess, J., concur.

Attorney for Appellant:	Michael T. George
Attorneys for Respondents:	Michael R. Cherba, Asst. Atty. General; Lorena V. Merklin von Kaenel, Asst. County Counselor

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.