

OPINION SUMMARY
MISSOURI COURT OF APPEALS—EASTERN DISTRICT
WRIT DIVISION FOUR

STATE OF MISSOURI, ex rel.)	No. ED104030
JENNIFER M. WINKLER,)	
)	
Relator,)	Writ of Mandamus
)	
vs.)	
)	
THE HONORABLE STEVEN H. GOLDMAN,)	Honorable Steven H. Goldman
Judge of the 21 st Judicial Circuit Court of)	
St. Louis County, Missouri,)	
)	
Respondent.)	FILED: April 5, 2016

Jennifer M. Winkler (“Relator”) is a defendant in a pending criminal action before the Honorable Steven H. Goldman (“Respondent”). Relator filed a petition seeking a Writ of Mandamus and/or Prohibition compelling Respondent to disqualify the St. Louis County Prosecuting Attorney’s Office (“Prosecuting Attorney’s Office”) and/or to prevent Respondent from proceeding to trial due to violations of Relator’s due process rights. Relator further sought to restrain Respondent from unsealing court records.

PRELIMINARY WRIT OF MANDAMUS MADE PERMANENT IN PART.

Writ Division Four Holds: There was substantial evidence to support Relator’s factual findings and no error in his legal conclusions that assistant prosecutors breached Relator’s attorney-client and work product privileges. Because of prejudicial violations to Relator’s Sixth Amendment and due process rights, we direct Respondent to order the Prosecuting Attorney’s Office disqualified from Relator’s criminal case and to appoint a special prosecutor. We further direct Respondent to vacate that portion of his order dated February 8, 2016, unsealing the court files except as to juvenile records. Respondent shall enter an order sealing not only those portions of the file referencing the juvenile records, but also those portions of the file containing information related to assistant prosecutors’ interview with Husband. The Prosecuting Attorney’s Office shall purge all excluded evidence from its files before turning those files over to the special prosecutor, and the Prosecuting Attorney’s Office shall refrain from discussing the excluded information with the special prosecutor. Relator’s request to dismiss the indictment is denied. With limited exceptions, court records remain sealed.

Opinion by: Mary K. Hoff, Acting P.J.
Robert G. Dowd, Jr., J., and Lisa P. Page, J., Concur.

Attorney for Relator: Neil J. Bruntrager
Attorney for Respondent: Peter J. Krane

**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.**