

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI ex rel.	)	No. ED99832
ARNIE C. DIENOFF, Respondent,	)	
	)	
vs.	)	
	)	
PATRICIA GALKOWSKI, ST. CHARLES	)	Appeal from the Circuit Court of
COUNTY AMBULANCE DISTRICT,	)	St. Charles County
Appellants,	)	
	)	
and	)	Honorable Ted C. House
	)	
RICH A. CHRISMER and ST. CHARLES	)	
COUNTY, MISSOURI, Defendants.	)	Filed: January 27, 2014

The St. Charles County Ambulance District (Ambulance District) and Patricia Galkowski, the recording secretary of the Ambulance District's Board of Directors, appeal the trial court's judgment granting Count X of Arnie Dienoff's ten-count "petition for writ of mandamus, declaratory judgment, injunctive relief and judicial review" on the grounds that the trial court exceeded its authority when it renamed and rewrote ballot language for a tax increase to benefit the Ambulance District. The Ambulance District urges this court to exercise its discretion to review the case under the public interest exception to the mootness doctrine.

REVERSED AND REMANDED.

Division Four Holds: The trial court's authority to rename and rewrite language in a ballot proposal for a tax increase to benefit the Ambulance District is subject to review under the public interest exception to the mootness doctrine because it: (1) is of general public interest and importance; (2) will likely recur; and (3) may evade appellate review in future live controversies. In the absence of statutory authority, the trial court erred in granting Count X.

Before Lisa S. Van Amburg, P.J., Patricia L. Cohen, J., and Gary M. Gaertner, Jr., J.  
PER CURIAM.

Attorney for Appellants: Michael E. Kaemmerer  
Attorney for Respondent: Arnie C. Dienoff, Pro Se  
Attorney for Defendants: Harold A. Ellis

**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.**