

**Summary of SC92621, Robin Wright-Jones v. Jamilah Nasheed**

Appeal from the St. Louis circuit court, Judge Joan L. Moriarity  
Submitted on briefs June 15, 2012; opinion issued June 19, 2012

**Attorneys:** Nasheed was represented by David E. Roland and Eric E. Vickers of St. Louis, (314) 604-6621; Wright-Jones was represented by Elbert A. Walton Jr. of the Metro Law Firm LLC in St. Louis, (314) 388-3400. The State of Missouri, which submitted a brief as a friend of the Court, was represented by the Missouri Attorney General Chris Koster and Solicitor General James R. Layton of the Attorney General's office in Jefferson City, (573) 751-1800.

*This summary is not part of the opinion of the Court. It has been prepared by the communications counsel for the convenience of the reader. It neither has been reviewed nor approved by the Supreme Court and should not be quoted or cited.*

**Overview:** Jamilah Nasheed appeals the circuit court's judgment on Wright-Jones' petition challenging Nasheed's qualifications to run for election in the Democratic primary as state senator in the 5th district. In a unanimous per curiam decision, the Supreme Court reverses the circuit court's judgment requiring Nasheed to be a resident of the new district. The circuit court incorrectly held that the residency requirement of article III, section 6 was ambiguous and that Nasheed did not satisfy that requirement to run in the 5th district. An exception to article III, section 6 for cases of reapportionment less than one year before the general election provides that the candidate need not reside in the reapportioned senate district she seeks to represent. A candidate may reside in any district from which a portion was incorporated into the new district where they are seeking office, even if they do not reside in the new district.

**Facts:** Wright-Jones and Nasheed both filed as candidates for nomination by the Democratic party in the 5th district. Wright-Jones resides in the former and new 5th district and Nasheed resides in the former 4th district, but portions of the 4th district were incorporated into the new 5th district. Wright-Jones challenges Nasheed's qualifications to seek nomination to run for election in the 5th district, asserting that article III, section 6 requires a candidate to reside in the relevant legislative district for one year prior to the general election. Nasheed argues that article III, section 6 provides an exception because reapportionment occurred less than one year before the general election; she is only required to reside in any of the districts from which the 5th district was created for one year. The trial court found that article III, section 6 is ambiguous as to general elections following reapportionment. It held the law requires a candidate for one year to reside in the district they are seeking to represent as it is defined following reapportionment and Nasheed did not satisfy this requirement. Nasheed appeals.

**REVERSED.**

**Court en banc holds:** The circuit court incorrectly found that because Nasheed did not reside in the boundaries of the new 5th district, article III, section 6 of the state constitution required her to reside for one year in the district as it was defined following reapportionment. Nasheed currently resides in the old 4th district, which is one from which the new 5th district was created. The plain language of "district" or "districts" is broad and unrestrictive and, hence, includes any part of such district or districts. Nasheed satisfies the constitutional residency requirement for the 2012 election. This interpretation of article III, section 6 has been followed for decades, supported by the attorney general and the secretary of state's advice to candidates.