

MISSOURI COURT OF APPEALS
WESTERN DISTRICT
1300 OAK STREET
KANSAS CITY, MISSOURI 64106

DIVISION 1

GARY D. WITT, PRESIDING JUDGE
THOMAS H. NEWTON, JUDGE
MARK D. PFEIFFER, JUDGE

DIVISION 2

ALOK AHUJA, PRESIDING JUDGE
KAREN KING MITCHELL, JUDGE
NEW JUDGE

DIVISION 3

JOSEPH M. ELLIS, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
CYNTHIA MARTIN, JUDGE

DIVISION 4

JAMES E. WELSH, CHIEF JUDGE, PRESIDING
VICTOR C. HOWARD, JUDGE
MICHAEL MANNERS, SPECIAL JUDGE

MAY, 2013

NOTICE TO COUNSEL

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

DIVISION 1: THIS DIVISION WILL SIT ON MAY 1 AND 22, 2013. IT WILL HAVE SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON MAY 2, 2013. THERE WILL BE THREE DOCKET CALLS AT 9:00 A.M., 10:30 A.M. AND 2:00 P.M.

DIVISION 3: THIS DIVISION WILL SIT ON MAY 7 AND 29, 2013. DOCKET CALL FOR BOTH DAYS IS AT 9:00 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON ONE DAY, MAY 14, 2013 WITH SPLIT DOCKET CALL AT 9:00 A.M. AND 10:30 A.M.

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:

In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

Original exhibits shall be deposited with the appellate court on or before the day the reply brief is due or when the court so directs, whichever is earlier. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

DIVISION 2

ALOK AHUJA, PRESIDING JUDGE

KAREN KING MITCHELL, JUDGE

NEW JUDGE

MAY, 2013

IMPORTANT NOTE

THIS DIVISION WILL SIT ON MAY 2, 2013. THERE WILL BE THREE DOCKET CALLS AT 9:00 A.M., 10:30 A.M., AND 2:00 P.M.



PLEASE NOTE THE DATE AND TIME OF YOUR ARGUMENT. THIS INFORMATION IS LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR CASE IS LISTED.



**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

2-May-2013 09:00

DIVISION 2

Western District Ct of Appeals

1. WD75674

JACKSON COUNTY CIRCUIT COURT

**DEBORAH MCINTIRE, APPELLANT
vs
GLAD HEART PROPERTIES, ET AL., RESPONDENTS**

DEBORAH MCINTIRE, Appellant
STEPHEN JAMES MOORE
ELIZABETH ANN MORAN
GLAD HEART PROPERTIES, INC., Respondent
MICHAEL LEE HUGHES
STEPHANIE D ARGIE, Respondent
MATTHEW F. MULHERN
DAVID ALAN GELLIS

2. WD75550

JACKSON COUNTY CIRCUIT COURT

**MARQUEL SPRATLING, APPELLANT
vs
ASURION PROTECTION SERVICES LLC, RESPONDENT**

MARQUEL SPRATLING, Appellant Acting Pro Se
ASURION PROTECTION SERVICES, LLC, Respondent
ROBERT L. ORTBALS JR.

3. WD74784

JACKSON COUNTY CIRCUIT COURT

**NATHAN STOLOV, APPELLANT
vs
JACKSON COUNTY SCHOOLS DISTRICT C-1 OF HICKMAN MILLS, JACKSON COUNTY,
MISSOURI, ET AL., RESPONDENTS**

NATHAN STOLOV, Appellant
MARK VAN BUREN DUGAN
JACKSON COUNTY SCHOOL DISTRICT C-1 OF HICKMAN MILLS, Respondent
ROBERT O JESTER
WESLEY JACOB CARRILLO
JESSICA MARIE BERNARD

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

2-May-2013 09:00

DIVISION 2

Western District Ct of Appeals

4. WD75353

JACKSON COUNTY CIRCUIT COURT

**IN THE MATTER OF FORECLOSURE LIENS FOR DELINQUENT TAXES BY ACTION IN REM:
COLLECTOR OF REVENUE BY AND THROUGH THE DIRECTOR OF COLLECTIONS FOR
JACKSON COUNTY, MISSOURI, 00296, RESPONDENTS**

vs

**PARCELS OF LAND ENCUMBERED WITH DELINQUENT LAND TAX LIENS; REALTY
ACQUISITIONS, LLC, APPELLANT**

REALTY ACQUISITIONS, LLC, Appellant

MICHAEL J GALLAGHER

MANAGER OF THE DIVISION OF REVENUE OF JACKSON COUNTY, MO, Respondent --DID NOT FILE

JACQUELINE A. SOMMER

BRIEF & WAIVES

BEEEMER CONSTRUCTION COMPANY, Respondent

ARGUMENT.

RYAN TYSON FRY

SEAL-O-MATIC, Respondent

RYAN CURTIS WESTHOFF

ROBERT MACBETH PITKIN

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

2-May-2013 10:30

DIVISION 2

Western District Ct of Appeals

1. WD74668

JACKSON COUNTY CIRCUIT COURT

**CITY OF INDEPENDENCE, RESPONDENT
vs
KEN AUMAN, APPELLANT**

KENNETH CHARLES AUMAN, Appellant Acting Pro Se
CITY OF INDEPENDENCE, MISSOURI, Respondent
MITCHELL EDWARD LANGFORD

2. WD74840

JACKSON COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT
vs
DINO CHAVEZ ANDERSON #1112204, APPELLANT**

DINO CHAVEZ ANDERSON, Appellant
JEANNETTE LYNN IGBENEBOR
STATE OF MISSOURI, Respondent
ANDREW C HOOPER

3. WD75287

JOHNSON COUNTY CIRCUIT COURT

**PERRY RAY MCDOW, RESPONDENT
vs
LEE ANN MCDOW, APPELLANT**

LEE ANN MCDOW, Appellant
KENNETH C HENSLEY
PERRY RAY MCDOW, Respondent
JAMES E SWITZER

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

2-May-2013 14:00

DIVISION 2

Western District Ct of Appeals

1. WD74429

CASS COUNTY CIRCUIT COURT

WD74436,WD74950

CITY OF HARRISONVILLE, APPELLANT-RESPONDENT

vs

**MCCALL SERVICE STATIONS D/B/A BIG TANK OIL, ET AL., RESPONDENT-APPELLANT; THE
MISSOURI PETROLEUM STORAGE TANK INSURANCE FUND, RESPONDENT-APPELLANT**

CITY OF HARRISONVILLE, MISSOURI, Appellant-Respondent

STEVEN E MAUER

FLEMING PETROLEUM OF KANSAS, Respondent-Appellant

GLENN EDWARD BRADFORD

DONALD ANTHONY WILLOH JR.

NANCY LEAH SKINNER

ROBERT GREGORY GROVES

MCCALL SERVICE STATIONS, Respondent-Appellant

GLENN EDWARD BRADFORD

DONALD ANTHONY WILLOH JR.

NANCY LEAH SKINNER

ROBERT GREGORY GROVES

MISSOURI PETROLEUM STORAGE TANK INSURANCE FUND, Respondent-Appellant

GLENN EDWARD BRADFORD

DONALD ANTHONY WILLOH JR.

NANCY LEAH SKINNER

ROBERT GREGORY GROVES

Arg expanded to 15 min for Res-App; 15 min for App-Res & 5 min Res-App rebuttal.
