

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  
ANTHONY REX GABBERT, 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. 'KV'Y KNN'CNUQ'UKV'QP'O C[ ' ; 'CV'32-22'C00 0**

**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**

**ANTHONY REX GABBERT, 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. IT WILL ALSO SIT ON MAY 9, 2013. DOCKET CALL WILL BE AT 10:00 A.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**

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**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

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**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.

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**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

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**2-May-2013 09:00**

**DIVISION 2**

**Western District Ct of Appeals**

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**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

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**2-May-2013 10:30**

**DIVISION 2**

**Western District Ct of Appeals**

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**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

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**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

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**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

CONTINUED TO MAY 9, 2013

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**2-May-2013 14:00**

**DIVISION 2**

**Western District Ct of Appeals**

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**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.

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**9-May-2013 10:00**

**DIVISION 2**

**Western District Ct of Appeals**

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**1. 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

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