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

DIVISION 1

VICTOR C. HOWARD, PRESIDING JUDGE
JOSEPH M. ELLIS, JUDGE
ANTHONY REX GABBERT, JUDGE

DIVISION 2

THOMAS H. NEWTON, PRESIDING JUDGE
KAREN KING MITCHELL, JUDGE
GARY D. WITT, JUDGE

DIVISION 3

LISA WHITE HARDWICK, PRESIDING JUDGE
MARK D. PFEIFFER, JUDGE
CYNTHIA MARTIN, JUDG

DIVISION 4

JAMES E. WELSH, CHIEF JUDGE, PRESIDING
ALOK AHUJA, JUDGE
EDITH L. MESSINA, SPECIAL JUDGE

AUGUST, 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 AUGUST 6 AND 29, 2013, WITH SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON AUGUST 8 AND 21, 2013, WITH SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 3: THIS DIVISION WILL SIT ON AUGUST 14 AND 28, 2013 WITH SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON AUGUST 7, 2013 WITH A SPLIT DOCKET AT 9:00 AND 10:30.

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 1

VICTOR C. HOWARD, PRESIDING JUDGE

JOSEPH M. ELLIS, JUDGE

ANTHONY REX GABBERT, JUDGE

AUGUST, 2013

IMPORTANT NOTE

THIS DIVISION WILL SIT ON AUGUST 6 AND 29, WITH SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.

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

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

6-Aug-2013 **09:00** **DIVISION 1** **Western District Ct of Appeals**

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1. WD75749 RANDOLPH COUNTY CIRCUIT COURT

TITA F GARCIA, APPELLANT
vs
DOREEN A LEFTWICH-KITCHEN, RESPONDENT

TITA GARCIA, Appellant
SPENCER EDWARD FARRIS
DOREEN A LEFTWICH-KITCHEN, Respondent
ROBERT JACKSON BUCKLEY
JULIA SOMMER GRUS

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2. WD75533 JACKSON COUNTY CIRCUIT COURT

HAINES & ASSOCIATES CONST.CO., INC., PLAINTIFF
vs
WOODS OF SOMMERSET, LLC, ET AL., RESPONDENT; DEVELOPERS SURETY AND INDEMNITY COMPANY, APPELLANT

DEVELOPERS SURETY AND INDEMNITY COMPANY, Appellant
LAWRENCE LERNER
SHANE CHRISTOPHER MECHAM
HAINES & ASSOCIATES CONSTRUCTION CO., INC., Plaintiff
FREDERICK GREGG THOMPSON IV
WOODS OF SOMMERSET, LLC, Respondent
JOHN W. ROE
MARK HAROLD EPSTEIN

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3. WD75792 CLAY COUNTY CIRCUIT COURT

TUCSON PARTNERS, L.P., RESPONDENT
vs
BRIDGE INVESTMENT GROUP, LLC, APPELLANT; ASSURED QUALITY TITLE COMPANY, DEFENDANT

BRIDGE INVESTMENT GROUP, LLC, Appellant
THOMAS M BRADSHAW
CHADLER EWALT COLGAN
ASSURED QUALITY TITLE COMPANY, Defendant
TUCSON PARTNERS, L.P., Respondent
ERIC CHADWORTH CARTER

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

6-Aug-2013 **10:30** **DIVISION 1** **Western District Ct of Appeals**

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1. WD76053 SCHUYLER COUNTY CIRCUIT COURT

H SCOTT SUMMERS, APPELLANT,
vs
BREE SHAW AND LINDSAY GRAVETT, RESPONDENTS.

HUGH SCOTT SUMMERS, Appellant
TIMOTHY ALEXANDER REUSCHEL
GARY DAVID BRIGGS
BREE SHAW, Respondent
IVAN L SCHRAEDER
LINDSAY GAYLE GRAVETT, Respondent
APRIL S WILSON

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2. WD75505 VERNON COUNTY CIRCUIT COURT

STATE OF MISSOURI, RESPONDENT
vs
JIMMY JOE CREWS, SR, APPELLANT

JIMMY JOE CREWS SR, Appellant
DAN K PURDY
STATE OF MISSOURI, Respondent
TODD TYLER SMITH

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

29-Aug-2013 09:00 **DIVISION 1** **Western District Ct of Appeals**

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1. WD75877 HENRY COUNTY CIRCUIT COURT

BUCKSAW RESORT, LLC., RESPONDENT,
vs
EUGENE MEHRTENS, APPELLANT.

EUGENE MEHRTENS, Appellant
THOMAS JOSEPH MAGEE
MARGARET LALLY FOWLER
BUCKSAW RESORT, LLC, Respondent
WILLIAM WRIGHT LENTZ

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2. WD75938 JACKSON COUNTY CIRCUIT COURT

A-1 PREMIUM ACCEPTANCE INC., APPELLANT,
vs
RENEE BURRIS, RESPONDENT.

A-1 PREMIUM ACCEPTANCE INC, Appellant
LAUREN LEIGH MANN
RENEE BURRIS, Respondent Acting Pro Se

RESPONDENT DID NOT FILE A BRIEF AND THUS WAIVES ARGUMENT.

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3. WD75307 BUCHANAN COUNTY CIRCUIT COURT

TERRANCE O'RILEY AND GERALD O'RILEY, APPELLANTS
vs
U.S. BANK, N.A., RESPONDENT

GERALD O'RILEY, Appellant
MICHAEL RICHARD ONG
TERRANCE O'RILEY, Appellant
MICHAEL RICHARD ONG
U.S. BANK NA, Respondent
MARK MCKAY IBA
ANGELA GERMAINE NICHOLS

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

29-Aug-2013 10:30 **DIVISION 1** **Western District Ct of Appeals**

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1. WD74305 SALINE COUNTY CIRCUIT COURT

STATE OF MISSOURI, RESPONDENT
vs
JERON MARTEZ LOVE, DEFENDANT; MICHAEL R THOMAS BAIL BOND COMPANY, APPELLANT

MICHAEL R THOMAS BAIL BOND COMPANY, Appellant Acting Pro Se
JERON MARTEZ LOVE, Defendant
STATE OF MISSOURI, Respondent
DONALD GEORGE STOUFFER

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2. WD75633 LABOR AND INDUSTRIAL RELATIONS

ANGELA JONES, APPELLANT
vs
SOUTHWEST PAYROLL SERVICES, LLC, DEFENDANT; DIVISION OF EMPLOYMENT SECURITY, RESPONDENT

ANGELA JONES, Appellant Acting Pro Se
SOUTHWEST PAYROLL SERVICES, LLC, Defendant
STATE OF MISSOURI DIVISION OF EMPLOYMENT SECURITY, Respondent
SARA HILARY HARRISON

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3. WD74743 JACKSON COUNTY CIRCUIT COURT

JENNIFER HOLMES, APPELLANT
vs
PHILLIPI L BRILLHART, ET AL., DEFENDANT; SOUTH METRO FIRE PROTECTION DISTRICT, RESPONDENT

Appellant
REBECCA M. RANDLES
Defendant
Respondent
RICHARD WATTS MOREFIELD JR