MISSOURI COURT OF APPEALS
WESTERN DISTRICT

LISA WILSON,

Appellant

v.

ATTORNEY GENERAL AND COMMISSIONER OF ADMINISTRATION,

Respondents

DOCKET NUMBER WD83784

DATE: March 9, 2021

Appeal From:

Circuit Court of Cole County, MO
The Honorable Patricia S. Joyce, Judge

Appellate Judges:

Division Three
Karen King Mitchell, Presiding Judge, Gary D. Witt, Judge, Anthony Rex Gabbert, Judge

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Attorneys:

Andrew S. Leroy, Kansas City, MO,
Counsel for Appellant

Attorneys:

Emily A. Dodge, Jefferson City, MO,
Counsel for Respondents

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

LISA WILSON, Appellant,
v.
ATTORNEY GENERAL AND COMMISSIONER OF ADMINISTRATION, Respondents

WD83784 **Cole County**

Before Division Three Judges: Karen King Mitchell, Presiding Judge, Gary D. Witt, Judge, and Anthony Rex Gabbert, Judge

Lisa Wilson appeals the judgment of the Cole County Circuit Court granting summary judgment against her in her declaratory judgment action. She complains in three points on appeal that the Bi-State Development Agency of the Missouri-Illinois Metropolitan District is an agency of the State of Missouri, that she complied with the State Legal Expense Fund statutory requirements, and that she is entitled to summary judgment.

AFFIRMED.

Division Three holds:

The Bi-State Development Agency of the Missouri-Illinois Metropolitan District ("Bi-State") is not an agency of the State of Missouri. Federal courts have treated it as a municipal corporation subject to suit under section 1983 and as an entity not entitled to the United States Constitution's Eleventh Amendment protection affording states and arms of the state immunity in federal court. Missouri and Illinois have equal power within Bi-State and one state cannot act unilaterally. Missouri statutes do not treat Bi-State as an agency of the state, Bi-State has powers state agencies do not have, and Missouri does not fund Bi-State in any significant way.

Opinion by: Anthony Rex Gabbert, Judge Date: March 9, 2021

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THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.