In the Missouri Court of Appeals
Eastern District

DIVISION FOUR

CHRISTOPHER HEATHERLY,	)	No. ED109559
	)	
Appellant,	)	Appeal from the Circuit Court of
	)	Lincoln County
vs.	)	20L6-CC00066
	)	
MICHAEL WOOD, In His Official Capacity as Prosecutor for Lincoln County, Missouri,	)	Honorable Jason H. Lamb
	)	
	)	
Respondent.	)	Filed: December 28, 2021

Michael E. Gardner, P.J., James M. Dowd, J., and Lisa P. Page, J.

Appellant Christopher Heatherly, a former police officer, appeals the dismissal of his petition in which he sought injunctive and declaratory relief against Michael Wood, the Prosecuting Attorney for Lincoln County, Missouri. Heatherly alleged that Wood exceeded his lawful authority when he wrote a letter informing Heatherly's employer, the Chief of Police of the City of Elsberry, Missouri, that Wood had placed Heatherly on his *Brady* list, resulting in the termination of Heatherly's employment. The trial court dismissed Heatherly's petition for lack of standing and for the lack of a justiciable controversy to support a claim for the declaratory and injunctive relief sought.

DISMISSED.

DIVISION IV HOLDS: Heatherly failed to demonstrate that he exhausted the administrative remedies available to him under ordinance, rule, regulation, or statute, including under Chapter 536, RSMo, as a result of the termination of his employment, or that an exception to the exhaustion doctrine applies. As a result, this Court lacks the authority to adjudicate this matter and Heatherly's appeal is therefore dismissed.

Opinion by: James M. Dowd, J.

Michael E. Gardner, P.J., and Lisa P. Page, J. concur.

Attorney for Appellant: John J. Pawloski

Attorney for Respondent: Charles H. Billings

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.