

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**ORAL ARGUMENT DOCKET – MARCH 2024**

**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. *All arguments are held in person unless otherwise notified.*

Please note the information below for each division:

**Division 1: (University of Missouri-Columbia School of Law)**

Alok Ahuja, Presiding Judge  
Cynthia Martin, Judge  
Thomas N. Chapman, Judge

Division 1 will sit on our Mid-Missouri Docket on March 12, 2024. Oral arguments will take place at the University of Missouri-Columbia School of Law, Columbia, Missouri, at 1:30 p.m.

**Division 2:**

Anthony Rex Gabbert, Presiding Judge  
Gary D. Witt, Chief Judge  
Karen King Mitchell, Judge  
Janet Sutton, Judge

Division 2 will sit on March 13 and 21, 2024. Docket call will be at 10:00 a.m. on both dates.

**Division 3:**

Mark D. Pfeiffer, Presiding Judge  
Lisa White Hardwick, Judge  
W. Douglas Thomson, Judge

Division 3 will sit on March 20 and 27, 2024. Docket call will be at 9:00 a.m. and 10:30 a.m. on March 20, 2024, and at 10:30 a.m. on March 27, 2024.

**Division 4: (William Woods University)**

Gary D. Witt, Chief Judge, Presiding  
Alok Ahuja, Judge  
Edwin R. Ardini, Jr., Judge

Division 4 will sit on our Mid-Missouri Docket on March 13, 2024. Oral arguments will take place at William Woods University, Fulton, Missouri, at 9:30 a.m.

## **Information Regarding Motions for Continuance and Motions to Permit Virtual Oral Argument**

Motions for Continuance and Motions to Permit Virtual Oral Arguments are discouraged absent exceptional circumstances. However, in the event such motions are filed, they should be filed within ten (10) days of publication of the docket and should contain, at minimum, consent of the client, the position of opposing counsel, and a specific reason(s) for the request that details the alleged exceptional circumstances (exceptional circumstances may include health or disability concerns of an unrepresented litigant or counsel that will be arguing the case). In ruling upon a motion for continuance or a motion to permit virtual oral argument, the court, in its discretion, may grant the motion, deny the motion, order part or all of the case submitted on the briefs, or grant such other relief as the court deems proper.

Motions for virtual oral argument must also include a separate attachment that lists the names and e-mail addresses of all counsel or unrepresented litigants who will be presenting oral argument and the telephone numbers where those individuals may be reached during the oral argument should technical difficulties arise. This attachment is for court use only. If the motion to permit virtual argument is granted, the entire matter will be argued virtually via the Webex platform, and counsel and unrepresented litigants who are presenting oral argument will receive a Webex invitation for the argument. A separate Case.net notification will be made notifying co-counsels, clients, and the public how they may obtain access to the virtual oral argument. In the event a motion to permit virtual oral argument is sustained by the court, every effort will be made by the court to schedule the Webex argument on the same date as originally docketed. The parties should ensure their schedules are open for the entire date indicated on the docket. Special dockets that are set outside of the courthouse such as colleges and universities, *en banc* cases, and certain high-profile cases are not eligible for virtual argument.

No motions to permit virtual oral argument will be entertained by the court after the expiration of ten (10) days from the date of the publication of the docket. Should a motion for continuance be filed after ten (10) days from publication of the docket, the motion must be accompanied by counsel's or an unrepresented litigant's representation that, after the ten (10) day window, circumstances arose outside the control of counsel or the unrepresented litigant that necessitated the delayed filing of the motion for continuance.

### **GENERAL INFORMATION**

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, unless permitted by the Court for good cause shown.

**ARGUMENT TIMES: Counsel will be allowed a maximum of 10 minutes per side with an additional three minutes 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 court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. 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.

Kimberly K. Boeding  
Clerk of Court  
Missouri Court of Appeals, Western  
District

**DIVISION 3**

**MARK D. PFEIFFER, PRESIDING JUDGE**

**LISA WHITE HARDWICK, JUDGE**

**W. DOUGLAS THOMSON, JUDGE**

**MARCH 20 AND 27, 2024**

**IMPORTANT NOTE**

**THIS DIVISION WILL SIT ON MARCH 20 AND 27, 2024. DOCKET  
CALL WILL BE AT 9:00 A.M. AND 10:30 A.M. ON MARCH 20, 2024, AND  
AT 10:30 A.M. ON MARCH 27, 2024.**

**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

20-Mar-2024

09:00

DIVISION 3

Western District Ct of Appeals

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1. WD86182

PLATTE COUNTY CIRCUIT COURT

**STATE OF MISSOURI AT THE RELATION OF: LAURIE LEWIS, ET AL., APPELLANTS,**  
**vs**  
**BOARD OF ZONING ADJUSTMENT , PLATTE COUNTY, MISSOURI AND CKC HOLDINGS, LLC,**  
**RESPONDENTS.**

CURTIS ALLDREDGE, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

WAYNE LEWIS, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

CYNTHIA ESSMYER, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

JOHN CARTER, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

MARTIN MILLS, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

SONYA MILLS, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

JASON CARR, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

GAIL LEMON, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

WILLIAM BYSEL, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

DUSTIN DURAND, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

SHELBY DURAND, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

BILL KENDZORA, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

KEVIN MCDONALD, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

LORENE SNOW, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

LAURIE LEWIS, Appellant  
JULIE JOAN GIBSON

**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

**20-Mar-2024**

**09:00**

**DIVISION 3**

**Western District Ct of Appeals**

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MICHAEL JAMES SCOTT

SUSAN STORM, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

KIRK CAMORIANO, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

BRENT URMACHER, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

MARISSA DENTON, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

CHRISTOPHER DENTON, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

CLIFFORD SNOW, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

MICHAEL HENDERSON, Appellant  
JULIE JOAN GIBSON  
MICHAEL JAMES SCOTT

CKC HOLDINGS, LLC, Respondent  
JASON L. BUSH  
BRITTON LAURENCE ST. ONGE

BOARD OF ZONING ADJUSTMENT OF PLATTE COUNTY, MISSOURI, Respondent  
STEPHEN E MAGERS

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS  
Oral Argument Docket**

**20-Mar-2024      09:00**

**DIVISION 3**

**Western District Ct of Appeals**

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**2. WD86465**

**JACKSON COUNTY CIRCUIT COURT**

**TABITHA HOLT, RESPONDENT,  
vs  
ZX INTERNATIONAL, INC., APPELLANT.**

ZX INTERNATIONAL, INC., Appellant  
    AMANDA LEA PENNINGTON  
        ANNE LINDNER SAGHIR  
        JOHN FRANCIS WILCOX JR.  
TABITHA HOLT, Respondent  
    TIM EUGENE DOLLAR  
        JOSHUA DANIEL BECKER  
        JEFFREY JOSEPH BURNS

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**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

**20-Mar-2024**

**10:30**

**DIVISION 3**

**Western District Ct of Appeals**

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**1. WD86009**

**JACKSON COUNTY CIRCUIT COURT**

**ANDREW E MCGUIRE, APPELLANT,**

**vs**

**CITY OF KANSAS CITY MISSOURI, ET AL., RESPONDENTS.**

ANDREW E MCGUIRE, Appellant Acting Pro Se

MISSOURI DEPARTMENT OF REVENUE, Respondent

MARCIE W BOWER

JEAN PETERS BAKER, Respondent

EMILY ROSE PELZ

LINDA MILLER, Respondent

EMALEA KAYE BLACK

QUINTON LUCAS, Respondent

EMALEA KAYE BLACK

CITY OF KANSAS CITY, MISSOURI, Respondent

EMALEA KAYE BLACK

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**2. WD86537**

**CALLAWAY COUNTY CIRCUIT COURT**

**STATE OF WYOMING, DEFENDANT; MISSOURI STATE HIGHWAY PATROL, APPELLANT,**

**vs**

**ERIC WILLIAM COOLEY, RESPONDENT.**

MISSOURI STATE HIGHWAY PATROL, Appellant

BRADLEY ROBERT BAKER

RYAN JOSEPH GALLAGHER

STATE OF WYOMING, Defendant

ERIC WILLIAM COOLEY, Respondent

HARVEY ALLEN HOFFMAN

Respondent did not file a brief thus  
waives argument.

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**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

**27-Mar-2024 10:30**

**DIVISION 3**

**Western District Ct of Appeals**

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**1. WD86589**

**COLE COUNTY CIRCUIT COURT**

**JEFFERSON CITY MEDICAL GROUP, P.C., RESPONDENT,**  
**vs**  
**DAVID BRUMMETT, APPELLANT.**

DAVID BRUMMETT, Appellant  
DAVID BRADLEY HELMS  
BENJAMIN DAVID MOONEYHAM  
CARRIE SAVAGE  
JEFFERSON CITY MEDICAL GROUP, P.C., Respondent  
HALLIE H GIBBS II  
SCOTT RICHARDSON POOL  
CHARLES TRAVIS HARGROVE  
SUSAN FORD ROBERTSON

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**2. WD86056**

**MORGAN COUNTY CIRCUIT COURT**

**WD86257**

**MICHAEL GRABB, APPELLANT,**  
**vs**  
**TERESA LURINDA GRABB A/K/A TERRY GRABB AND AMANDA HUFFMAN, PUBLIC**  
**ADMINISTRATOR FOR MORGAN COUNTY, MISSOURI, PERSONAL REPRESENTATIVE OF THE**  
**ESTATE OF RONALD E GRABB, RESPONDENTS.**

MICHAEL GRABB, Appellant  
GARY MICHAEL STEINMAN  
STEPHANIE RAE KLEYH  
JONATHAN STERNBERG  
BRODY SABOR  
AMANDA HUFFMAN, Respondent  
ANNE LINTON POND-HENDRIKSON  
TERESA LURINDA GRABB, Respondent  
ANNE LINTON POND-HENDRIKSON  
ADAM S DAVIS

Respondent Amanda Huffman did not file a brief  
thus waives argument.

**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

**27-Mar-2024      10:30**

**DIVISION 3**

**Western District Ct of Appeals**

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**3. WD85927**

**COLE COUNTY CIRCUIT COURT**

**DAWN WARREN-COOK, RESPONDENT,**  
**vs**  
**MISSOURI DEPARTMENT OF PUBLIC SAFETY; ERNIE RHODES AND TODD FARLEY,**  
**APPELLANTS.**

ERNIE RHODES, Appellant  
                    ADAM MERELLO  
TODD FARLEY, Appellant  
                    ADAM MERELLO  
MISSOURI DEPARTMENT OF PUBLIC SAFETY, Appellant  
                    ADAM MERELLO  
DAWN WARREN-COOK, Respondent  
                    JOANNA TRACHTENBERG  
                            H ANTHONY RELYS  
                            JOHN ANDREW HIRTH

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