



# **SUPREME COURT OF MISSOURI**

## **en banc**

|                    |   |                                        |
|--------------------|---|----------------------------------------|
| PHILLIP WEEKS,     | ) | <i>Opinion issued November 4, 2025</i> |
|                    | ) |                                        |
| Appellant,         | ) |                                        |
|                    | ) |                                        |
| v.                 | ) | No. SC101018                           |
|                    | ) |                                        |
| CITY OF ST. LOUIS, | ) |                                        |
|                    | ) |                                        |
| Respondent.        | ) |                                        |

### **APPEAL FROM THE CIRCUIT COURT OF THE CITY OF ST. LOUIS**

The Honorable Joan L. Moriarty, Judge

Phillip Weeks appeals<sup>1</sup> a judgment in favor of the City of St. Louis on his petition to require the City to produce traffic stop data pursuant to Missouri's Sunshine Law, § 610.010, *et seq.* In his sole point on appeal, Weeks claims the judgment is against the weight of the evidence because the trial evidence and the City's admissions show it withheld responsive records in violation of the Sunshine Law. Weeks fails to cite or apply the analytical framework necessary to show a judgment against the weight of the evidence. The judgment is affirmed.<sup>2</sup>

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<sup>1</sup> This Court transferred the appeal following an opinion by the court of appeals and has jurisdiction pursuant to article V, section 10 of the Missouri Constitution.

<sup>2</sup> All statutory citations are to RSMo 2016.

## **Factual and Procedural Background**

The St. Louis Metropolitan Police Department collects traffic stop data pursuant to § 590.650. At all relevant times, the Department retained the traffic stop data in computerized data files in a .CSV format.

Weeks emailed a Sunshine Law request to the Department, requesting "[f]iles of the databases containing data generated from vehicle stop forms for 2014 through and including 2018, including officer PINs/DSNs that are kept pursuant to ... § 590.650[.]"<sup>3</sup> The request also provided "this open records request is for files containing the databases (in worksheet, ie excel workbook formatting) created from the raw data transmitted upon the completion of the vehicle stop forms."

After the Department informed him there would be a delay in processing his request, Weeks emailed the Department, stating in part:

For clarification, my request is not for the vehicle stop forms, but the database in spreadsheet formatting (preferably in excel) that contains the data from the vehicle stop forms.

The Department responded that it was unable to identify what he meant by "vehicle stop forms." The Department offered to produce more than 150,000 traffic analysis reports, with redacted DSNs, at a cost of \$1,040. Weeks declined to accept the traffic analysis reports and filed suit.

Weeks alleged the City, through the Department, knowingly and purposefully violated the Sunshine Law by not producing records responsive to his request. During discovery, the City produced .CSV files of traffic stop data. Weeks testified these files were "exactly" in the

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<sup>3</sup> The PINs and DSNs identify individual department employees.

format he requested. Weeks, however, also testified he specifically requested the production of the data in Excel spreadsheet format and "wanted it in spreadsheet formatting." The Department's former systems development manager testified the Department did not maintain a spreadsheet of the traffic stop data Weeks requested. There was also conflicting evidence regarding whether the Department's .CSV files could be converted accurately into spreadsheet format.

The circuit court entered judgment for the City. The circuit court found the City did "not hold or maintain an existing record responsive to [Weeks'] specific request." Weeks appeals, claiming the circuit court's judgment is against the weight of the evidence.

### **Standard of Review**

A judgment entered following a bench trial may be reversed if no substantial evidence supports the judgment, it is against the weight of the evidence, or it erroneously declares or applies the law. *Murphy v. Carron*, 536 S.W.2d 30, 32 (Mo. banc 1976). "These are distinct claims[,] and each requires a distinct analysis. *Ivie v. Smith*, 439 S.W.3d 189, 199 n.11 (Mo. banc 2014). Because Weeks claims only the judgment is against the weight of the evidence, this Court presupposes the judgment is supported by substantial evidence. *Id.* at 205.<sup>4</sup> Weeks has chosen a difficult path, as "[t]his Court rarely has reversed a trial judgment as against the weight of the evidence under the *Murphy v. Carron* standard." *Pearson v. Koster*, 367 S.W.3d 36, 52 (Mo. banc 2012).

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<sup>4</sup> Because Weeks' point relied on is limited to his claim the judgment is against the weight of the evidence, he does not raise the analytically distinct claim that the circuit court misapplied the law. *Ivie*, 439 S.W.3d at 199 n.11. The narrow issue before this Court is whether Weeks identifies some fact necessary to support the judgment is against the weight of the evidence.

A claim that the judgment is against the weight of the evidence requires this Court to weigh the probative value of the evidence supporting the judgment relative to the evidence not supporting the judgment. *Ivie*, 439 S.W.3d at 206. To preserve the circuit court's role as the finder of fact, this Court gives the circuit court's factual findings "the approximate effect of a jury verdict, especially when weighing and credibility are involved." *State Farm Mut. Auto. Ins. Co. v. Allen*, 744 S.W.2d 782, 786 (Mo. banc 1988). Accordingly, "[t]his Court defers on credibility determinations when reviewing an against-the-weight-of-the-evidence challenge because the circuit court is in a better position to weigh the contested and conflicting evidence in the context of the whole case." *Ivie*, 439 S.W.3d at 206. "When the evidence poses two reasonable but different conclusions, appellate courts must defer to the circuit court's assessment of that evidence." *Id.* A judgment will be reversed as "against the weight of the evidence only if the circuit court could not have reasonably found, from the record at trial, the existence of a fact that is necessary to sustain the judgment." *Id.*

Logically, these principles yield a four-step analytical framework expressly adopted by the court of appeals 15 years ago and applied consistently ever since. *Houston v. Crider*, 317 S.W.3d 178, 187 (Mo. App. 2010).<sup>5</sup> This Court expressly adopts the *Houston* framework,

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<sup>5</sup> The court of appeals in numerous cases rejected against-the-weight-of-the-evidence claims that do not follow the *Houston* framework. See, e.g., *Bell-Kaplan v. Schwarze*, 712 S.W.3d 836, 846 (Mo. App. 2025) (explaining the *Houston* "analytical framework is mandatory" and "the absence of any such criteria, even without a court-formulated sequence, dooms an appellant's challenge" (internal quotation omitted)); *Riead v. Riead*, 685 S.W.3d 532, 546 (Mo. App. 2023) (stating that "without identifying any favorable evidence, the Beneficiaries are unable to demonstrate *why* that evidence is lacking in necessary probative value" and the ensuing argument is "analytically useless"); *O.H.B. ex rel. S.M.B. v. L.Y.S.*, 665 S.W.3d 329, 334 (Mo. App. 2023) (finding a claim not following the *Houston* framework "necessarily fails"); *Wille v. Curators of Univ. of Mo.*, 627 S.W.3d 56, 68 (Mo. App. 2021) (explaining the failure to identify evidence supporting the challenged factual proposition invites an appellate

which requires the appellant to: (1) identify a challenged factual proposition necessary to sustain the judgment; (2) identify all favorable evidence in the record supporting the challenged factual proposition; (3) identify the evidence in the record contrary to that proposition, resolving all evidentiary conflicts in accordance with the circuit court's implicit and explicit credibility determinations; and (4) demonstrate the favorable evidence, and the reasonable inferences therefrom, is so lacking in probative value it fails to induce belief in that proposition when considered in the context of the entire record. *Id.* This analytical framework provides the necessary framework to demonstrate the circuit court's factual findings are against the weight of the evidence.

### **Analysis**

Weeks claims the trial evidence shows the circuit court's judgment is against the weight of the evidence, but fails to cite any case from this Court or the court of appeals regarding the proper analysis of an against-the-weight-of-the-evidence claim. Weeks identifies the contested factual proposition (step one) as the circuit court's finding the City did not have existing records responsive to his request. The remaining analytical steps are incomplete. Weeks does not identify all of the pertinent, favorable facts (step two), fails to

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court to improperly "devise and articulate its own demonstration of how the omitted favorable evidence lacks probative value as compared to the totality of the evidence"); *Schubert v. Schubert*, 561 S.W.3d 787, 796 (Mo. App. 2018) (explaining a claim failed because the appellant's "arguments, at various times, fail in all of these steps"); *APAC-Mo., Inc. v. Boyer*, 420 S.W.3d 651, 664 (Mo. App. 2013) (finding the appellant failed to "explain how these items were favorable to him or how they had a greater probative value than the evidence supporting the trial court's judgment"); *Halverson ex rel. Sumners v. Halverson*, 362 S.W.3d 443, 451 (Mo. App. 2012) (stating the failure to address favorable evidence means an against-the-weight-of-the-evidence claim "never makes it out of the starting gate").

resolve conflicting evidence consistent with the circuit court's implicit credibility determinations (step three) and, therefore, fails to demonstrate why, in the context of the entire record, the favorable evidence is so lacking in probative value it fails to induce belief in that proposition (step four). The failure to utilize the necessary framework strips Weeks' argument "of any analytical value or persuasiveness." *Houston*, 317 S.W.3d at 189.

For example, regarding step two, Weeks fails to identify all the evidence supporting the circuit court's finding he requested data in a spreadsheet format the City did not have. Regarding step three, Weeks emphasizes evidence contrary to the judgment without regard to the circuit court's credibility determinations. While Weeks asserts his Sunshine Law request was not limited to the production of data in particular format, he testified he "wanted it in spreadsheet formatting." Because Weeks failed to complete steps two and three, step four – requiring him to examine the context of the entire record and show the favorable evidence lacks probative value – lacks analytical persuasiveness and is reduced to a conclusory assertion. Weeks' argument the trial evidence shows the judgment was against the weight of the evidence fails because he has not shown "the circuit court could not have reasonably found, from the record at trial, the existence of a fact that is necessary to sustain the judgment." *Ivie*, 439 S.W.3d at 206.

Weeks also claims the judgment is against the weight of the evidence because the judgment "wholly ignores" what he characterizes as the City's Rule 59.01 admission that the Department had responsive files in its possession when he made his Sunshine Law request. Any fact admitted pursuant to Rule 59.01 is conclusive against the admitting party. Rule 59.01(b). The City, however, did not admit it had "responsive" files. The City admitted only

it did not produce .CSV files of traffic stop data in response to Weeks' Sunshine Law request. Consistent with the actual scope of the City's factual admission, the circuit court found the City had traffic stop data, but it had no record of that data in a spreadsheet format as Weeks requested. The circuit court did not overlook a conclusively established, dispositive fact making the judgment entered against the weight of the evidence.<sup>6</sup>

### **Conclusion**

The judgment is affirmed.

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Zel M. Fischer, Judge

All concur.

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<sup>6</sup> While not cited by Weeks, *Buckner v. Jordan*, 952 S.W.2d 710, 712 (Mo. banc 1997), is instructive. In *Buckner*, this Court reversed a judgment as against the weight of the evidence because the circuit court failed to consider evidence regarding the critical fact of a parent's income in a judgment determining child support obligations. *Id.* at 712. Because parental income was central to the case, and the circuit court could not weigh the critical evidence it never considered, *Buckner* held the judgment was against the weight of the evidence. *Id.* Unlike the overlooked, potentially dispositive evidence in *Buckner*, however, the circuit court did not overlook any dispositive factual admission in this case.