APPLICATION (Revised September 2011)
TWENTY-FIRST CIRCUIT JUDICIAL COMMISSION
CIRCUIT JUDGE

S WILL BE MADE PUBLIC IF THE APPLICANT

NAME: **Mary Elizabeth Ott**

1. State your present principal occupation: **Associate Circuit Court Judge 21st Judicial Circuit, Saint Louis County, Missouri**

2. Are you at least 30 years of age? **Yes**

3. (a) How long have you been a citizen of the United States? **50 years**
   (b) Have you been a resident of St. Louis County for at least one year immediately prior to the date of this application? **Yes**
   (c) How long have you been a qualified voter of Missouri? **32 years**

4. Are you licensed to practice law in Missouri? **Yes**

   List any other states, courts, or agencies in which you are licensed as an attorney:

   Federal District Court, Eastern District of Missouri,

   8th Circuit Court of Appeals

   United States Supreme Court

5. State the date you were admitted to the Bar in Missouri? **April 24, 1987**

Missouri Bar Number:_ 35302

(In completing items 6 and 7, please account for all time periods between post-high school education and the date of this application.)

State the name and address of all colleges and universities you have attended, together with the dates and degrees received:

Saint Mary's College
132 LeMans Hall
Notre Dame, Indiana 46556
B.A., 1982

Saint Louis University
School of Law
3700 Lindell Boulevard
Saint Louis, MO. 63108
J.D., 1985

7. State, in chronological order, your entire working career, including non-legal employment, if any. Include the name and address of each firm, corporation, partnership, or governmental body with which you have been associated, and the dates thereof. (Start with earliest date, conclude with present.)

Harold John Ott II, M.D.
1034 South Brentwood Boulevard
Saint Louis, MO. 63144
1975-1977

City of Clayton
Parks and Recreation
#2 Mark Twain Circle
Clayton, MO. 63105
1978-1982

Saint Louis County Law Library
Circuit Court of Saint Louis County
7900 Carondelet, Fifth Floor
Clayton, MO. 63105
1983-1985

Sale, Evans, Phelps, Coffin, Roskin, Andreatta and Lorenz
230 South Bemiston, Suite 721

Clayton, MO. 63105
1983-1985

Law Offices of Preston E. Roskin
231 South Central, Suite 1010
Clayton, MO., 63105
1985-1986

Law Offices of J. Martin Hadican
225 South Meramec, Suite 832
Clayton, MO, 63105
1986-1990

Saint Louis University
Moot Court Instructor
Department of History-Pre Law Studies
221 North Grand Avenue
Saint Louis, MO., 63103
1987-1990

Law Offices of Mary Elizabeth Ott
225 South Meramec, Suite 832
Clayton, MO., 63105
1990-May 30, 2008

Judiciary of the State of Missouri
Associate Circuit Court Judge
21st Judicial Circuit, St. Louis County
7900 Carondelet Avenue
Clayton, MO. 63105

8. If you are presently an associate circuit judge and have served for two years or longer, attach a list of ten significant cases over which you presided to completion. Set forth the style, cause number, date and name and current address of the primary attorneys participating in each case, identifying the party each attorney represented. Indicate whether bench or jury tried and give a one to three sentence description of each case and its outcome. **Please see attached list No. 8.**

   (b) In addition, you may attach a list of cases you tried as an attorney in the last five years before becoming a judge. Set forth the style, cause number, date and jurisdiction and identify who you represented, whether you were first or second chair and the name and address of opposing counsel. State for each case whether bench or jury tried and give a one to three sentence description of each case and its outcome. **Please see attached list No. 8 (b).**

9. Are you able, with or without a reasonable accommodation, to perform the essential functions of a judge including the ability to preside over trials, perform legal research, attend court anywhere in the state, communicate clearly and effectively both orally and in writing, and expeditiously decide issues coming before the court? **Yes.**

10. If you have never served as an associate circuit judge or have served for fewer than two years, attach a list of cases you have tried in the last five years. Set forth the style, cause number, date, and court, and identify who you represented, whether you were first or second chair, and the name and address of opposing counsel. Indicate for each case whether bench or jury tried and provide a one to three sentence description of each case and its outcome. If, during any of the last five years, you served as a commissioner or in any other judicial capacity, set forth the dates of same and a description of the duties performed. **Please see attached list No. 8.**

11. Have you briefed or argued any case in an appellate court? **Yes.**
    If yes, attach a list showing the citation for each case and describe the extent of your participation in briefing and arguing the case. **Please see attached list No. 11.**

12. Set forth any additional information that demonstrates the quality of your legal work as an attorney. **My private practice of the Law was concentrated in the Areas of Criminal Defense and Family Law at the Trial and Appellate levels. It has been my privilege to practice not only in St. Louis City and County but also in several Circuit and Associate Circuit Courts throughout the Eastern District of Missouri. Several of my cases have been adjudicated both formally and informally in the Juvenile Court in Saint Charles County, St. Louis City and County, several have been concluded before Agencies and Administrative Law Judges in and around the state. It has been my honor also to practice in the Federal System at both the District Court and Appellate levels, and I am currently admitted to the Bar of the Supreme Court of the United States, (although, all that I have successfully obtained from that court thus far is a continuance, and a temporary stay.)**

    While those matters concluded by Trial during the last five years of my private practice are listed above, this does not include the several matters in both

the Criminal, and Family Law areas which during the last five years of my private practice, as well as prior to that time, were fully prepared for Trial but were concluded by a Plea of Guilty or other Settlement. Of course such preparation includes the taking of many depositions and the conduct of evidentiary and other pre-trial hearings. Of the approximately fifteen cases that I have tried to conclusion before a jury, in my career, each and all of them were concluded with an acquittal or a verdict of guilt to a lesser offense than the one charged. One, civil case resulted in a verdict for the Plaintiff (against my client). It would be difficult to count accurately, the number of Administrative Hearings concerning Missouri Driving Privileges that I have tried before an associate circuit judge, or a commissioner—many. Further it would be very difficult to calculate with precision the number of misdemeanor and felony criminal cases which were concluded without any charges being filed or in the alternative by the dismissal of the action or disposition by negotiated plea. In conclusion, I can say without reservation that I have had great opportunities in my private practice of law and I have enjoyed the privilege of practicing law.

During the past two and one-half years, I have been fortunate to serve as an Associate Circuit Court Judge in Saint Louis County. For the first nine months of that term I handled a Civil and Equity docket. We tried six trials before a Jury, and ninety-two trials to the Court. Thereafter and up until the date of this application, I have handled a Criminal docket, which averages 480 cases. This docket includes daily Confined and Call dockets, Bond Hearings, Bond Forfeiture Hearings, and Probation Revocation Hearings and Preliminary Hearings, concerning all criminal offenses – as well as Jury and Court tried cases concerning Misdemeanors, traffic misdemeanors and infractions. In addition, I have been responsible for the Municipal Certification Docket which averages 360 active cases. I have presided over six jury trials, and Twenty-three trials before the court. During the past six months, and by assignment of the Circuit Court I have handled three formal Felony pleas of guilty. Of the matters concluded by trial from both the civil and criminal assignments, several have been appealed. Thus far, all judgments have been affirmed, (some are currently pending and are therefore undetermined.) but for one in which the judgment was affirmed however, the Court of Appeals remanded the matter back for hearing on the question of attorneys fees. Both the Civil and Criminal dockets have been 99% compliant with the Missouri Supreme Court time requirements of Rule 17. Next year I expect to undertake a Family Court docket.

13. Have you ever been convicted of a misdemeanor or felony? **No.**

If yes, provide details, including the style of the case, cause number, name of the jurisdiction, and date of conviction:

14. Have you ever been sued by a client or been a party to any other litigation, other than as guardian ad litem, plaintiff ad litem or defendant ad litem? **Yes.**

If yes, provide details, including the style of the case, cause number, name of the jurisdiction and the approximate year in which such litigation was commenced and in which it was terminated:

Yes, in October 2005 I was the named defendant in a small claims matter, brought by the mother of a client for fees. The matter was filed in the small claims court in Saint Louis County, cause number 2105SC-01945, and was dismissed by agreement of the parties some 36 days later, on or about November 23, 2005. (See attached minute entries.)

15. Have you ever been disciplined or cited for breach of ethics or professional conduct by a court or by any bar association or committee thereof? **No.**

    If yes, provide details:

16. Have you ever been held in contempt of court? **No.**

    If yes, provide details:

17. If you are or were a member of the Judiciary of the State of Missouri, please state:

    (a) Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct? **None.**
    If yes, state the nature of such breach, the date discipline was imposed and the exact nature and duration of the discipline imposed:

    (b) Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary.
    None.
    If yes, provide details including date the order was entered, the date of your consent, and a description of the conduct you were ordered to cease and desist:

    (c) Whether, to your knowledge, you have been a subject of a complaint and investigation by the Commission on Retirement, Removal and Discipline, which did not result in any action by the Commission? If yes, provide details:
    None.

18. To your knowledge, have you been investigated by a court or by any bar association or committee thereof for breach of ethics or professional conduct? **No.**

    If yes, provide details:

19. List all bar associations and other professional societies, of which you are a member, with any offices held and dates: **Missouri Bar Association 1987- Present**
Missouri Association of Probate and Associate Judges
2008- Present
Saint Louis County Bar Association
2008- Present

20. Describe your community activities, including any organizations, not listed above, with which you are affiliated:

Parishioner, Immacolata Catholic Church
1972-present
Academy of the Visitation, College of Directors,
2004-2010
Academy of the Visitation, Chairman, Alumnae Annual Giving,
2003- 2008
Academy of the Visitation,Chariman, Advancement Committee,
2006-2008
Cardinal Ritter Institute, Board of Directors Member
2004-2007
Cardinal Ritter Institute, Quality Assurance Committee
2006
Catholic Legal Assistance Ministry Member,
2001- present,
Catholic Legal Assistance Ministry Board President,
2001
Friends of Heritage House Board Member
1999-2001
Rossati House- Homeless Shelter- Casserole Program,
2002-present
Logan Center-Reading Program-South Bend Indiana,
1979-1982
Academy of the Visitation Alumnae Board Member
1979-Present
Progressive Youth Center Board Member
2000

21. Do you now hold or have you ever held any elective or appointive public office or position? **No.**

If yes, provide details:

22. Provide the branches and dates of (a) military service, or (b) other public service, not otherwise covered in this application. If discharged from the military, was the discharge other than honorable? If military service continues, so state: **None.**

23. List any professional articles or books which have been published or any special recognition or award of a professional nature which you have received: **None. However, in the 2000 edition of the *Missouri Lawyer's Weekly,* "Most Important Appeals" issue, three of the listed appeals where cases that appear above. (Holleran, Pasteur, McLain). In addition, I received an A-V rating from Martindale-Hubbell upon my initial evaluation in 2002 and maintained the same until May 2008.**

24. Furnish the names and addresses, including zip codes and telephone numbers of not more than five persons, who are not judges, as references with respect to your judicial qualifications:

J. Martin Hadican
Attorney at Law
225 South Meramec, Suite 832
Clayton, MO. 63105
(314) 863-0050

Michael Gorla
Attorney at Law
Laclede Gas Building
720 Olive Street, Suite 2301
Saint Louis, MO., 63101-2314
(314) 621-1617

Colleen C. Jones
Blitz, Bardgett, and Deutsch
120 South Central Avenue, Ste. 1650
Clayton, MO. 63105
(314) 863-1500

Dennis Beckley
Attorney at Law
401 Chez Paree
Saint Louis, Missouri 63042
(314) 838-2800

Mark E. Dunn
Dunn and Miller
North Outer 40
Town and Country, Missouri 63017
(314) 786-1200

25. State any additional data you deem relevant:

Appellate Decisions

1. **Pleasant Hollow Homeowners Association v. Sun Ye Webster,et.al.**, ED91822, June 2, 2009, Action to Quash Sheriffs Sale, and set aside sale of real property valued between $110,000.00 and $160,000.00 for $10.00. Trial Court set aside the Sheriff's sale, **Affirmed** by the Court of Appeals.

2. **Frederick J. Peet, Jr., v. Dupont Securities Group,Inc., et.,al.** ED92802, November 24, 2009. Action to set aside a default judgment on the grounds of res judicata and collateral estoppel. Trial Court denied motion to set aside the judgment, **Affirmed** by the Court of Appeals.

3. **Jeffrey A. Lerner v. Lori J. Teitjen**, ED92486, August 17, 2009. Action to challenge the administrative findings of the Missouri Department of Social Services. Appeal **Dismissed**, after settlement of the parties.

4. **Supplemental Medical Services, v. Medi Plex Health Care**, ED91732, September 22, 2009. Action on Account and for Breach of Contract. The Trial Court found in favor of Supplemental Medical Services. The Judgment was **Affirmed** by the Court of Appeals, and **Remanded** for a Hearing on the issue of attorney's fees.

5. **Timothy Schleeper v. Hon. Mary Ott and City of Creve Coeur**, ED96075, January 4, 2011. This was a Writ action to challenge dismissal of the Defendant's Municipal action de novo in the trial court. **Dismissed** by the Court of Appeals.

6. **City of Bridgton v. Kenneth Yarbrough,** ED95092, April 19, 2011. Following a bench trial, the trial court found the defendant guilty of failure to follow the command of a law enforcement officer. **Affirmed** by the Court of Appeals.

7. **State of Missouri v. Michael B. McCauley**, ED94753, September 6, 2011. Appeal from the judgment upon defendant's conviction by a jury for sexual misconduct for which Defendant was sentenced by the trial court to one year in the St. Louis County Department of Justice Services. **Affirmed** by the Court of Appeals.

8. **City of Creve Coeur v. Mary Nottebrok**, ED96396, October 25, 2011. Constitutional challenge to the utilization by the City of Creve Coeur of Red Light Camera devices. Trial court found the defendant guilty of the municipal violation. **Affirmed** by the Court of Appeals.

9. **St. Louis Association of Realtors v. City of Ferguson**, SC91640, October 25, 2011. Constitutional challenge to City ordinance. Trial court found Association had no standing. **Affirmed** by Court of Appeals, and **Reversed and Remanded** by the Supreme Court of Missouri.

2105SC-01945 **MATTHEW VESTAL ETAL V MARY OTT** **Security Level: 1 Public**

Case Type:	AC Small Claims over $100	**Case Filing Date:**	19-Oct-2005
Status:	Dismissed by Parties		
Disposition:	Dismissed by Parties	**Disposition Date:**	23-Nov-2005

		Release/Status Change Date	Reason
Judge	GLORIA CLARK RENO (36006)		
Plaintiff	**MATTHEW VESTAL (C22792727)**		
	MICHAEL VESTAL (C22792725)		
	JEANINE VESTAL (C22792731)		
Defendant	**MARY OTT (C22311961)**		

Filing Date	Description	
19-Oct-2005	**Document Filed** DIRECT FILING, PETITION FILED, CASE ASSIGNED TO DIV 36	#21GBAIL
	Hearing Scheduled INITIAL COURT DATE 11/29/2005 01:30PM DIV 36	#21GBAIL
	Summons Req-Small Claims SMALL CLAIMS SUMMONS REQUESTED FOR DEFENDANT(S) #1 MARY OTT	#21GBAIL
20-Oct-2005	**Summons Issued- Small Claims** SUMMONS TO ISSUE ON 10/31/2005 TO DEFENDANT #1 FOR SERVICE BY SERVICE BY MAIL SHERIFF. RETURNABLE ON 11/29/2005	BGCV0006
04-Nov-2005	**Return Service - Other** SMALL CLAIMS SUMMONS ISSUED TO DEFENDANT(S) #1 MARY OTT, RETURNED RECEIPT SIGNED BY ADDRESSEE/AGENT ON 11/03/2005	#21DJACK
23-Nov-2005	**Order** DISMISSED BY PARTIES AS FOLLOWS DISMISSED WITHOUT PREJUDICE DEFENDANT(S) #1 MARY OTT JUDGE GLORIA C. RENO, DIV 36 JUDGMENT NUMBER: 237855	#21GBAIL
	Dismissed by Parties DISMISSED BY PARTIES AS FOLLOWS	#21GBAIL

Question No. 8(b)

TRIALS

CIRCUIT COURT

State of Missouri v. Latasha Deboise, 06CR-002167, St. Louis County, November 5, 2007. The Defendant was my client in this Class C felony Abuse of a Child case which was tried by me before a jury, the Hon. Richard Bresnahan presiding. Acquittal. The State of Missouri was represented at trial by John Quarenghi, assistant prosecuting attorney, 100 South Central Avenue, 2nd floor, Clayton, Missouri 63105.

State of Missouri v. James F. Cotter, 07CR-000280, St. Louis County, October 15, 2007, The Defendant was my client in this two count Class A misdemeanor case. The State of Missouri entered an Order of Nolle Proseque on the morning of Trial, following several pre-trial motions. The Honorable Gloria Reno presiding (following the recusal upon the court's own motion of Hon. Ellen Levy- Siwak) The State of Missouri was represented at trial by John Quarenghi, assistant prosecuting attorney, 100 South Central Avenue, 2nd floor, Clayton, Missouri 63105

Pedrotty v. Pedrotty, 04FC-011686, St. Louis County, June 29, 2007. The Petitioner was my client in this Contempt proceeding which was tried by me before the court. The Court found my client in contempt and Ordered payment of the judgment at issue. The matter is still pending. The Hon. Commissioner Phillip Jones. The Respondent was represented by Zane Yates, Yates and May, 7710 Carondelet, Suite 303, Clayton, Missouri 63105.

State of Missouri v. Kurt D. Fabregas, . 03CR-126219-01, St. Charles County, July 18, 2005, The Defendant was my client in this Class C Felony Assault in the second degree case which was tried by myself before a jury, the Hon. Nancy Schnieder presiding. Acquittal. The State of Missouri was represented at trial by Grant Gorman, and Kent Fanning, assistant prosecuting attorneys, 300 North Second Street 6th Fl., Saint Charles, MO. 63301.

State of Missouri v. Anthony A. Hall, 03CR-958(A), St. Louis County, March 29, 2004, The Defendant was my client in this Class A felony –Robbery and Armed Criminal Action case. The state of Missouri entered an Order of Nolle Proseque on the morning of Trial. The Honorable Mark Seigel presiding. J.B. Lasater Assistant Prosecuting Attorney represented the State of Missouri, 100 South Central Avenue, 2nd Fl., Clayton, MO. 63105,

State of Missouri v. Anthony A. Hall, 01CR-003831, St. Louis County, September 10, 2003,

The Defendant was my client in this, Class B felony Possession with intent to deliver a controlled substance (cocaine),and Class A misdemeanor Possession of a controlled substance (marijuana) case. The Defendant was also charged as a prior and persistent offender which raised his liability upon conviction to that of a Class A felony. Conviction for the lesser included offense of Possession, Convicted of the misdemeanor offense. Probation granted. The Honorable Phillip Sweeney Presiding. The case was tried by myself to a jury. J.B. Lasater, Assistant Prosecuting Attorney represented the State of Missouri, 100 South Central Avenue, 2nd Fl., Clayton, MO. 63105

House v. Delurgio, 003-73, May 1, 2001
The Respondent was my client in this Paternity/Contempt proceeding in Division 15 of the Circuit Court of Saint Louis City, the Honorable Steven Ohmer presiding over this bench trial. This was a complex custody battle, which ultimately resulted in a trial for Contempt. Respondent was awarded custody. Petitioner appealed the decision, which appeal was dismissed. The Petitioner was represented by Linda Jarmon, and Donnell Smith, 307 Northland Office Building, St. Louis, MO., 63136.

Question No. 11 APPEALS

SUPREME COURT OF MISSOURI

State of Missouri v. Roger Dale, No. 71249, January 9, 1989
Briefed and Argued the case with J. Martin Hadican. This was a case of first impression in Missouri as it was the first time that an owner/operator of a skilled nursing facility in Missouri was criminally charged with the negligent care and treatment of patients. The appeal centered on the question of the vagueness of the statute and the requirement of criminal culpability and intent. Affirmed in part and Reversed in part. Opposing Counsel was Robert Franson, Assistant Attorney General, P.O. Box 899, Jefferson City, Missouri 65102

State ex rel Auffenberg v. Hon. George R. Gerhard, No. 71159, January 16, 1989
Briefed the case with J. Martin Hadican, and Argued the case. This was an appeal of the Court of Appeals for the Eastern District's denial of a Writ of Prohibition. The Supreme Court granted the Writ, preventing the Circuit Court from enforcing an Order of Contempt.

State of Missouri v. Naomi Ruth Barnes, No. 68282 May 20, 1996
Briefed the case with J. Martin Hadican, and Argued the case. This was a case of first impression in Missouri concerning the criminal charge of an Insurance Adjuster for actions undertaken by the adjuster during settlement discussions with an Insured. The conviction was Affirmed. Opposing counsel was Timothy W. Anderson, Assistant Attorney General, P.O. Box 899, Jefferson City, MO., 65102

State of Missouri v. Robert A. Walls, No. SC73621 January 1991-1999
Briefed Writ of Habeas Corpus, Motion to Recall the Mandate, and Motions to Stay the Execution of the Defendant Robert A. Walls. This was a Capital case. This was the state component of the Federal Litigation of the Writ of Habeas Corpus and the Writ of Certiorari in the United States Supreme Court. Opposing counsel was Stacey Anderson, and John Munson Morris, Assistant Attorneys General of the State of Missouri.

In re: Thomas J. Hellman, No., SC83655, August 14, 200 ,
Briefed the case with J. Martin Hadican which case was argued by J. Martin Hadican. This was a disciplinary matter concerning the Respondent's license to practice law in Missouri. The recommendation of disbarment by the Office of Chief Disciplinary Counsel was affirmed by the Court. Opposing Counsel was Sara Rittman, Office of Chief Disciplinary Counsel 3335 American Avenue, Jefferson City, MO., 65109

COURT OF APPEALS EASTERN DISTRICT OF MISSOURI

Mary Holleran v. Michael Holleran, No. 74705, December 7, 1998
Briefed and Argued this case. This was an appeal of the Circuit Court's Order to apply a Bond posted in the appellant's criminal case, to an outstanding child support arrearage, despite the fact that the bond had been posted by family members, and others, without notice to them of the possibility that the funds could be redirected to satisfy outstanding debts of the Defendant. Reversed. Respondent sought rehearing in the Supreme Court of Missouri which relief was denied. Opposing counsel was Robert Adler, Clayton Mo. 63105.

State of Missouri v. Kevin McLain, No., 2000
Briefed and Argued the case. This was a juvenile matter in which the State of Missouri sought to incarcerate a juvenile in an adult facility, and further wherein the State objected to the Trial Court's grant of a Suspended Imposition of Sentence to the Defendant. The issues on appeal centered around the application of a new statute to create a separate penal facility for juveniles who has committed serious offenses, and the Court's authority to grant Probation. Affirmed in favor of my client. Opposing Counsel was the office of the Attorney General, P.O. Box 899, Jefferson City, Mo. 65102.

Kimberly Diane Humes v. Director of Revenue No. 66673, April 28, 1995
Briefed the case with J. Martin Hadican, and Argued the case.This was an appeal of the Suspension of the Petitioner's Missouri Driving Privileges. Affirmed Opposing Counsel was the office of the Attorney General, P.O. Box 899, Jefferson City, Mo. 65102.

In re Jeffrey Imboden v. Hon. Kenneth Romines, No. 54898, June 21, 1988
Briefed the case with J. Martin Hadican, and Argued the case. This was a request to make permanent a Writ of Prohibition to prevent the Circuit Court from enforcing its Order of Contempt against the Relator for asserting his Fifth amendment right to remain silent following proceedings in the Circuit Court. Writ Granted. Opposing counsel was Thomas Meehan, Assistant Prosecuting Attorney, 100 South Central Avenue, Clayton, Missouri 63105.

State of Missouri v. Terry Lynn Crabtree, No. 71898,
Briefed and Argued the case. . This was an appeal of the conviction of Appellant for the offense of Driving While Intoxicated. The appeal was taken following the second trial of the matter, the first of which resulted in a mis-trial in Saint Louis County. Affirmed. Opposing Counsel was Kelly Hill, Assistant Prosecuting Attorney , 100 South Central Avenue, Clayton, MO., 63105.

Michael A. Lyons v. Director of Revenue, No. ED77714 November 19, 2000
Briefed and Argued the case. This was an appeal of the Revocation of the Appellant's Missouri Driving Privileges. Affirmed. Opposing Counsel was Daryl R. Hylton, Assistant Attorney General, P.O. Box 899, Jefferson City, Mo., 65102

Donald E. Bennish v. Director of Revenue, March 2, 2001
Briefed and Argued the case. This was an appeal of the 10 year suspension of the Appellant's Missouri Driving Privileges, and whether the Director of Revenue had, as required by the Statute proven that the Appellantb had the required predicate convictions to enhance the penalties available to the Director. Affirmed. Opposing Counsel was Joel Anderson, Assistant Attorney General, P.O. Box 899, Jefferson City, MO., 65102

State Ex Rel Director of Revenue v. Hon Lucy Rauch, No. 73983 July 19,1998
Briefed and Argued the case. This was a Writ of Prohibition sought by the Director of Revenue to prevent the Circuit Court of St. Charles from proceeding upon the Petition or Review. The Writ was granted. Opposing counsel was Opposing Counsel was the office of the Attorney General, P.O. Box 899, Jefferson City, Mo. 65102.

State of Missouri v. Martha Buckner, No. 75200, Septmeber 15, 1999
Briefed the case with J. Martin Hadican, and Argued the case. This was an appeal of the appellants conviction for trespass and property destruction.. Affirmed. Opposing Counsel was Barbara K. Chesser, Assistant Attorney General, P.O. Box 899, Jefferson City, Missouri 65102.

State of Missouri v. David B. Turner, No. 57551, August 11, 1989
Briefed the case with J. Martin Hadican, and Argued the case. This was an appeal of Appellants conviction for Rape, Sodomy, and Armed Criminal Action, and the resulting Life sentence. Affirmed. Opposing Counsel was William Meiners, Assistant Prosecuting Attorney, 100 South Central Avenue, Clayton, MO. 63105

Michael Keegan v. Director of Revenue, No. 55062, January 6, 1989
Briefed and Argued the case. This was an appeal of the Director of Revenues decision to suspend the Appellant's Missouri driving privileges and further to dismiss his petition. Affirmed. Opposing counsel was Richard Wieler, Assistant Attorney, P.O. Box. 899, Jefferson City, MO., 65102.

Eugene L. Cooper v. Missouri State Board of Pharmacy, No. 55534
Briefed the case with J. Martin Hadican, and Argued the case. This was an appeal from the State Board of Pharmacy's decision to revoke the Appellant pharmacy license as a result of criminal charges in the Federal system regarding the adulteration and mislabeling of drugs. The decision to revoke the license was adopted by the Administrative Hearing Commission and was Affirmed by the Court of Appeals. Opposing counsel was Sherry L. Doctorian, Missouri Attorney General, P.O. Box 899 Jefferson City, Mo. 65102

State of Missouri v. Frank Pasteur, No. November 2000
Briefed the Appeal, with J. Martin Hadican, oral argument was waived. This was an Appeal of the Conviction of the appellant for sexual misconduct involving a minor. The appeal centered around the application of a Missouri Statute that failed to define sexual misconduct adequately. Affirmed. Opposing Counsel was the office of the Attorney General, P.O. Box 899, Jefferson City, Mo. 65102.

State of Missouri v. James Gaston, No. 53450 April 12, 1988
Argued the case which was briefed by J. Martin Hadican. This was an appeal of the conviction of the Appellant for homicide. Affirmed. Opposing counsel was the Attorney General of Missouri, P.O. Box 899, Jefferson City, MO., 65102.

UNITED STATES SUPREME COURT

Robert A. Walls v. Michael Bowersox et al., No. 98-8015, February 4, 1999
Prepared Writ of Certiorari, briefed the same, and prepared Motion to Stay execution, Motion for temporary stay was granted, and Certiorari was denied by the Supreme Court. Opposing counsel was Stacey Anderson, and John Munson Morris, Assistant Attorneys General of the State of Missouri, P.O. Box 899, Jefferson City, MO., 65102.

UNITED STATES COURT OF APPEALS –EIGHTH CIRCUIT

United States of America v. John Alvin Payne et al., No. 88-2871-EM et seq. November 2, 1989
Briefed the case with J. Martin Hadican, and Argued the case. This was an appeal of the conviction of Carmel Macklin and other co-defendants for conspiracy to distribute drugs, and engaging in a continuing criminal enterprise. Affirmed Opposing Counsel was Mitchell F. Stevens, and James K. Steitz, Assistant United States Attorneys, 111 South 10th Street, Room 20.333, Saint Louis, MO., 63102

Robert A. Walls v. Michael Bowersox, No. 97-1036 and 97-1978,
Briefed and Argued the case , with J. Martin Hadican. This was an Appeal by the State of Missouri of the United States District Court's grant of a Writ of Habeas Corpus. Reversed. Opposing Counsel was Stacy L. Anderson, Assistant Attorney General P.O. Box 899 Jefferson City, Missouri 65102.

United States of America v. Alois Larry Wolk, No. 02-1179EMSL, August 2, 2002
Briefed the case with J. Martin Hadican, and Argued the case. This was an Appeal of the conviction of the Appellant for violations of Title 18 section 2252 regarding the depiction of pornographic images of minors on the internet. The appeal centered around language in the statute and therefore the indictment that defined "minor child" in a way that was overbroad and vague and which resulted in an inappropriate application of the Federal Sentencing Guidelines. Affirmed. Opposing Counsel was Carrie Costantin, Assistant United States Attorney, 111 South 10th Street, Room 20.333 Saint Louis, Missouri 63102

United States of America v. William Larmon, No. 88-1784 EM, July 21, 1988.
Briefed the case with J. Martin Hadican, and Argued the case. . This was an Appeal of the conviction of the Appellant in a multi defendant case, for Conspiracy to Distribute Marijuana. Affirmed. Opposing counsel was

United States of America v. Joseph S. Serian, No. 89-1832-EM
Briefed the case with J. Martin Hadican, and Argued the case. This was an Appeal of the conviction of the Appellant upon a twenty four count indictment for mail fraud involving a contact lens mail-order business. Affirmed. Opposing counsel was Frederick J. Dana Assistant United States Attorney, 111 South 10th Street, Room 20.333, Saint Louis, Missouri 63102.

United States of America v. Gary Ray, No. 91-3041
Briefed the case with J. Martin Hadican, and Argued the case. This was an Appeal of the conviction of Appellant upon an indictment for the offense of Conspiracy to defraud customers buying used automobiles. Affirmed. Opposing counsel was James Martin, Assistant United States Attorney, 111 South 10th Street, Room 20.333, Saint Louis, Missouri 63102

United States of America v. Randy Joe Ely, No. 91-2205 EM
Briefed the case with J. Martin Hadican, and Argued the case. The appeal centered on the application of certain Federal Sentencing Guidelines to the Appellant, following his conviction on charges of embezzlement and receipt of pornography depicting a minor child through the United States mail. Affirmed. Opposing counsel was Patricia A. McGarry, Assistant United States Attorney, 111 South 10th Street, Room 20.333, Saint Louis, Missouri 63102.

United States of America v. Sime Dijan, No.
Briefed the case with J. Martin Hadican, and Argued the case. This was an appeal of the Appellants conviction for embezzlement and Conspiracy to commit Fraud in a multi-count indictiment. Affirmed. Opposing Counsel was James E. Crowe, Assistant United States Attorney, 111 South 10th Steet, Room 20.333, Saint Louis, Missouri 63102.

United States of America v. Fabio Ramirez-Salazar, No. 88-1561EM August 1, 1988
Briefed the case with J. Martin Hadican, and Argued the case.. This was an appeal in a multi defendant multi-count indictment alleging conspiracy to distribute cocaine. Affirmed. Opposing counsel was the Assistant United States Attorney, 111 South 10th Street, Room 20.333, Saint Louis, Missouri 63102.