

OPINION SUMMARY
MISSOURI COURT OF APPEALS—EASTERN DISTRICT
DIVISION ONE

MISSOURI ETHICS COMMISSION,)	No. ED103968
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	15SL-CC4008
)	
YOLONDA FOUNTAIN-HENDERSON,)	Honorable Michael D. Burton
)	
Respondent.)	FILED: October 25, 2016

The Missouri Ethics Commission (“the Commission”) appeals the circuit court’s order and judgment denying the Commission’s application for the enforcement of a subpoena *duces tecum* issued to Respondent, against whom the Commission received a citizen complaint regarding a 2015 municipal election.

REVERSED AND REMANDED.

Division One Holds:

The circuit court erred when it refused to enforce the subpoena because, under the test laid out in Matter of Hein, 584 S.W.2d 631 (Mo. App. E.D. 1979), the issuance of the subpoena was within the Commission’s investigatory power, and because the subpoena itself was both relevant to the Commission’s investigation and contained the requisite specificity.

Opinion by: Mary K. Hoff, J.
Robert M. Clayton III, P.J., and Lisa P. Page, J., Concur.

Attorney for Appellant: James Robert Layton
Attorney for Respondent: No attorney on record.

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.
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