

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

ROBIN WRIGHT-JONES,)	No. ED98456
)	
Respondent,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	
)	Honorable Joan L. Moriarty
)	
JAMILAH NASHEED,)	
)	
Appellant.)	FILED: June 13, 2012

Missouri State Representative Jamilah Nasheed (“Nasheed”) appeals from the trial court’s judgment in favor of Missouri State Senator Robin Wright-Jones on her petition challenging the qualifications of Nasheed to run for election in the Democratic Party primary for state senator for the Fifth State Senate District of Missouri (hereinafter “Fifth District”). The trial court found Nasheed does not satisfy the residency requirements to run in the Fifth District under Missouri Constitution Article III, Section 6. On appeal, Nasheed argues that the trial court erred in finding that she did not meet the residency requirements of Article III, Section 6.

TRANSFERRED.

Division Five holds: We hold that Nasheed is ineligible to run for office in the Democratic primary for the Fifth District because Article III, Section 6 requires Nasheed to live within the boundaries of the reapportioned senate district she seeks to represent, and she does not. We would affirm the judgment of the trial court, however, because of the general interest and importance of the issues presented, this case is transferred to the Missouri Supreme Court under Mo. R. Civ. P. 83.02, 2012.

Opinion by: Kurt S. Odenwald, C.J. Sherri B. Sullivan, J., Concurs, and Clifford H. Ahrens, J., Concurs in result in separate opinion

Attorney for Appellant: David E. Roland and Eric E. Vickers

Attorney for Respondent: Elbert A. Walton, Jr.

Attorney for Amicus Curiae: Chris Koster and James R. Layton

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.