

MISSOURI COURT OF APPEALS
WESTERN DISTRICT
1300 OAK STREET
KANSAS CITY, MISSOURI 64106

DIVISION 1

GARY D. WITT, PRESIDING JUDGE
THOMAS H. NEWTON, JUDGE
MARK D. PFEIFFER, JUDGE

DIVISION 2

ALOK AHUJA, PRESIDING JUDGE
KAREN KING MITCHELL, JUDGE
NEW JUDGE

DIVISION 3

JOSEPH M. ELLIS, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
CYNTHIA MARTIN, JUDGE

DIVISION 4

JAMES E. WELSH, CHIEF JUDGE, PRESIDING
VICTOR C. HOWARD, JUDGE
MICHAEL MANNERS, SPECIAL JUDGE

MAY, 2013

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. Please note the information below for each division:

DIVISION 1: THIS DIVISION WILL SIT ON MAY 1 AND 22, 2013. IT WILL HAVE SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON MAY 2, 2013. THERE WILL BE THREE DOCKET CALLS AT 9:00 A.M., 10:30 A.M. AND 2:00 P.M.

DIVISION 3: THIS DIVISION WILL SIT ON MAY 7 AND 29, 2013. DOCKET CALL FOR BOTH DAYS IS AT 9:00 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON ONE DAY, MAY 14, 2013 WITH SPLIT DOCKET CALL AT 9:00 A.M. AND 10:30 A.M.

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.

PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:

In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed 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 appellate court on or before the day the reply brief is due or when the court so directs, whichever is earlier. 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.

Terence G. Lord, Clerk

DIVISION 3

JOSEPH M. ELLIS, PRESIDING JUDGE

LISA WHITE HARDWICK, JUDGE

CYNTHIA MARTIN, JUDGE

MAY, 2013

IMPORTANT NOTE

**THIS DIVISION WILL SIT ON MAY 7 AND 29, 2013. DOCKET
CALL ON BOTH DAYS IS AT 9:00 A.M.**



**PLEASE NOTE THE DATE AND TIME OF YOUR ARGUMENT. THIS
INFORMATION IS LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR
CASE IS LISTED.**



**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

7-May-2013 09:00

DIVISION 3

Western District Ct of Appeals

1. WD75448

BENTON COUNTY CIRCUIT COURT

**IN THE ESTATE OF: BETTY JEAN COLLINS, DECEASED; ROBYNE D RIDLEY-MCKINNEY AND
CHARLOTTE LAJEAN RIDLEY, APPELLANTS**

vs

TINA SHOEMAKER, ET AL., RESPONDENTS

CHARLOTTE LAJEAN RIDLEY, Appellant
 ROBERT TODD WILHELMUS
ROBYNE D RIDLEY-MCKINNEY, Appellant
 ROBERT TODD WILHELMUS
TINA SHOEMAKER, Respondent
 GARY VANCE COVER
TAMMY APPLEBERRY, Respondent
 GARY VANCE COVER

2. WD75853

COLE COUNTY CIRCUIT COURT

**IN THE MATTER OF CARL LEE DEBRODIE, AN INCAPACITATED AND DISABLED ADULT,
RESPONDENT; KAREN DIGH ALLEN, CALLAWAY COUNTY PUBLIC
ADMINISTRATOR/GUARDIAN AND CONSERVATOR FOR CARL LEE DEBRODIE, RESPONDENT**

vs

BRYAN KEITH MARTIN AND MARY ELIZABETH MARTIN, APPELLANTS.

BRYAN KEITH MARTIN, Appellant
 DANIEL RAY DUNHAM
MARY ELIZABETH MARTIN, Appellant
 DANIEL RAY DUNHAM
CARL LEE DEBRODIE, Respondent
 MARY WEHRHEIM BECK
KAREN DIGH ALLEN, Respondent
 ELIZABETH K. MAGEE

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

7-May-2013 09:00

DIVISION 3

Western District Ct of Appeals

3. WD75647

RAY COUNTY CIRCUIT COURT

**MARGARET A POLLARD, RESPONDENT
vs
D. L. POLLARD, APPELLANT**

D L POLLARD, Appellant
KIMBERLY N GRAY
MARGARET POLLARD, Respondent
BRUCE BRANDOM BROWN

4. WD75696

JACKSON COUNTY CIRCUIT COURT

**DAVID BUSH, RESPONDENT,
vs
SHELTER MUTUAL INSURANCE CO., APPELLANT.**

SHELTER MUTUAL INSURANCE COMPANY, Appellant
WILLIAM CLAYTON CRAWFORD
JAMES PATRICK MALONEY
DAVID BUSH, Respondent
STEPHEN ROGERS BOUGH
MATTHEW BLAKE HEATH

**5. WD75150
WD75192**

JACKSON COUNTY CIRCUIT COURT

**BISON PARK DEVELOPMENT, LLC, APPELLANT-RESPONDENT
vs
NORTH AMERICAN SAVINGS BANK, F.S.B., RESPONDENT-APPELLANT**

BISON PARK DEVELOPMENT, LLC, Appellant-Respondent
ROBERT JAMES BJERG
NORTH AMERICAN SAVINGS BANK, F.S.B., Respondent-Appellant
THOMAS M FRANKLIN

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

29-May-2013 09:00

DIVISION 3

Western District Ct of Appeals

1. **WD74698**

JACKSON COUNTY CIRCUIT COURT

**TERRY A BLAIR #46436 (29.15), APPELLANT
vs
STATE OF MISSOURI, RESPONDENT**

TERRY A BLAIR, Appellant
SUSAN LYNN HOGAN
STATE OF MISSOURI, Respondent
EVAN JOSEPH BUCHHEIM

2. **WD75336**

CLAY COUNTY CIRCUIT COURT

**JEFFERSON ACQUISITION, LLC., ET AL., APPELLANTS
vs
CCSB FINANACIAL CORPORATION, ET AL., RESPONDENTS**

JEFFERSON ACQUISITION, LLC, Appellant
JOHN LAVELLE MULLEN
DEREK GLENN JOHANNSEN
PARK GP, INC., Appellant
JOHN LAVELLE MULLEN
DEREK GLENN JOHANNSEN
CCSB FINANCIAL CORPORATION, Respondent
BRIAN G BOOS
JOHN R DAVIS, Respondent
BRIAN G BOOS
MARIO USERA, Respondent
BRIAN G BOOS
GEORGE A MCKINLEY, Respondent
BRIAN G BOOS
KEITH A OBERKROM, Respondent
BRIAN G BOOS
LARRY L BLOSSER, Respondent
BRIAN G BOOS
PAUL D WHEELER, Respondent
BRIAN G BOOS
ROBERT F DURDEN, Respondent
BRIAN G BOOS

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS**

Docket

29-May-2013 09:00

DIVISION 3

Western District Ct of Appeals

3. **WD75786**

JACKSON COUNTY CIRCUIT COURT

**IN THE INTEREST OF: Q.A.H., PLAINTIFF; JUVENILE OFFICER, RESPONDENT; C.W.M. & C.D.M.,
RESPONDENTS**

vs

M.H. (MOTHER), APPELLANT

Appellant

SANDRA JEAN WIRTEL
CASEY PETER MURRAY

Plaintiff

MARY SHEMANE MANN

Respondent

MARINA ELIZABETH BELL
JAMES A WAITS
SARAH JOHNSTON
SARAH JOHNSTON

4. **WD75352**

JACKSON COUNTY CIRCUIT COURT

HEATHER GALLOWAY-TAYLOR, APPELLANT

vs

ERIC VOSPETTE, ET AL, RESPONDENTS

HEATHER GALLOWAY-TAYLOR, Appellant

JAMES H THOMPSON JR

ERIC VOSPETTE, Respondent

MICHAEL EUGENE MCCAUSLAND

G M MOUSE, Respondent

KENDALL ROBERT GARTEN

G M MOUSE, PC, Respondent

KENDALL ROBERT GARTEN
