

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

DIVISION 1

**THOMAS H. NEWTON, PRESIDING JUDGE
CYNTHIA MARTIN, JUDGE
TED ARDINI, JUDGE**

DIVISION 2

**LISA WHITE HARDWICK, PRESIDING JUDGE
KAREN KING MITCHELL, JUDGE
REX GABBERT, JUDGE**

DIVISION 3

**ALOK AHUJA, PRESIDING JUDGE
VICTOR C. HOWARD, JUDGE
JAMES E. WELSH, JUDGE**

DIVISION 4

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING
KAREN KING MITCHELL, JUDGE
GARY D. WITT, JUDGE**

ORAL ARGUMENT DOCKET – NOVEMBER, 2016

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 NOVEMBER 1 AND 15, WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON NOVEMBER 3 AND 16, 2016 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 3: THIS DIVISION WILL SIT ON NOVEMBER 2 AND 17, 2016, WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M. ON NOVEMBER 2 AND ONE DOCKET CALL AT 9:00 A.M. ON NOVEMBER 17.

DIVISION 4: THIS DIVISION WILL SIT ON NOVEMBER 1, 2016 AT THE UNIVERSITY OF MISSOURI LAW SCHOOL, COLUMBIA, MISSOURI WITH ONE DOCKET CALL AT 1:30 P.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 court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. 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 4

MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING

KAREN KING MITCHELL, JUDGE

GARY D. WITT, JUDGE

NOVEMBER 2016

IMPORTANT NOTE

**THIS DIVISION WILL SIT ON NOVEMBER 1, 2016 AT THE
UNIVERSITY OF MISSOURI LAW SCHOOL, COLUMBIA,
MISSOURI WITH ONE DOCKET CALL AT 1:30 P.M.**

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

1-Nov-2016 13:30

DIVISION 4

Univ of Missouri Law School

1. **WD79527**

CLEAN WATER COMMISSION

**IN THE MATTER OF: TRENTON FARMS RE, LLC PERMIT NO MOGS10500, APPELLANT,
vs
MISSOURI DEPARTMENT OF NATURAL RESOURCES, RESPONDENT; HICKORY NEIGHBORS
UNITED, INC., RESPONDENT.**

TRENTON FARMS RE, LLC, Appellant

ROBERT JOSEPH BRUNDAGE

ALICIA KATHLEEN E TURNER

CLEAN WATER COMMISSION, Respondent

SHAWNA MARIE BLIGH

HICKORY NEIGHBORS UNITED, INC., Respondent

STEPHEN G JEFFERY

MISSOURI DEPARTMENT OF NATURAL RESOURCES, Respondent

TIMOTHY ALLAN BLACKWELL

2. **WD79619**

COLE COUNTY CIRCUIT COURT

**ACLU OF MISSOURI, ET AL, RESPONDENTS,
vs
MISSOURI DEPARTMENT OF CORRECTIONS, APPELLANT.**

MISSOURI DEPARTMENT OF CORRECTIONS, Appellant

STEPHEN CHARLES DOERHOFF

ACLU OF MISSOURI, Respondent

ANTHONY EDWARD ROTHERT

GILLIAN R WILCOX

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

1-Nov-2016 13:30

DIVISION 4

Univ of Missouri Law School

3. **WD79400**

BOONE COUNTY CIRCUIT COURT

**STUART A DEVORE AND VANDEE DEVORE, HUSBAND AND WIFE, RESPONDENTS,
vs
LILLIAN VAUGHN, ET AL., APPELLANTS.**

LILLIAN VAUGHN, Appellant
NANCY A MCKERROW
BEVERLY GARDNER, Appellant
NANCY A MCKERROW
RACINE VAUGHN, Appellant
NANCY A MCKERROW
MEREDITH UDELL VAUGHN, Appellant
NANCY A MCKERROW
GARY WAYNE VAUGHN, Appellant
NANCY A MCKERROW
KEITH H VAUGHN, Appellant
NANCY A MCKERROW
MICHAEL LEE VAUGHN, Appellant
NANCY A MCKERROW
VANDEE DEVORE, Respondent
CATHLEEN ANNE MARTIN
STUART DEVORE, Respondent
CATHLEEN ANNE MARTIN

4. **WD78464**

COLE COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT
vs
SHELLEY A RICHTER, APPELLANT.**

SHELLEY A RICHTER, Appellant
CONNIE SULLIVAN
STATE OF MISSOURI, Respondent
SHAUN MACKELPRANG
