

**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
VICTOR C. HOWARD, JUDGE
GARY D. WITT, JUDGE**

ORAL ARGUMENT DOCKET - OCTOBER - 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 OCTOBER 12, 2016 AT MISSOURI WESTERN STATE UNIVERSITY, ST. JOSEPH, MISSOURI. DOCKET CALL WILL BE AT 9:30 A.M. IT WILL ALSO SIT AT THE COURT OF APPEALS ON OCTOBER 25, 2016, WITH DOCKET CALL AT 9:00 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON OCTOBER 4 AND 12, 2016 ,WITH DOCKET CALL AT 9:00 A.M.

DIVISION 3: THIS DIVISION WILL SIT ON OCTOBER 3, 2016, AT THE SULLIVAN COUNTY COURTHOUSE, MILAN, MISSOURI. DOCKET CALL WILL BE AT 1:00 P.M. IT WILL ALSO SIT AT THE COURT OF APPEALS ON OCTOBER 26, 2016, WITH DOCKET CALL AT 9:00 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON OCTOBER 5, 2016 AT THE UNIVERSITY OF CENTRAL MISSOURI, WARRENSBURG, MISSOURI. THERE WILL BE TWO DOCKET CALLS. THE FIRST WILL BE AT 9:30 A.M. AND THE SECOND 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

MEMO

To: All attorneys on the October 5, 2016 docket at the University of Central Missouri, Warrensburg, MO

FROM: Terence Lord, Clerk

SUBJECT: Directions to UCM

Our courtroom for the October 5th docket at UCM will be Room 240 of the Student Union. Here are the directions I have been given.

Get off Highway 50 at the Business 50 exit. The Business 50 exit is west of Highway 13. At the first stop sign, make a right. This will be Holden Street. Stay on Holden all the way through town. You will pass the county courthouse on your right—then the train track and depot on the right. The next stop LIGHT you come to you will see a big stone sign for the Campus on the southeast corner. Go through this light and pass one street on your left. The building on the left will be the Student Union. Just south of the union, at Clark Street, will be a visitors' parking lot. You can park there and enter the union through the south entrance. The hall will take you through a bowling alley and into the main part of the union. Room 240 will be about half way down the hall on the left. There is an information desk in the lobby in case you need assistance.

REMEMBER: There are two docket calls for this docket. 4 cases will be heard at 9:30 and 1 case will be heard at 1:30. Please check the top of the docket page on which your case is listed to see the time of your argument's docket call.

I look forward to seeing you there.

DIVISION 4

MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING

VICTOR C. HOWARD, JUDGE

GARY D. WITT, JUDGE

OCTOBER 2016

<p>IMPORTANT NOTE</p>

THIS DIVISION WILL SIT ON OCTOBER 5, 2016 AT THE UNIVERSITY OF CENTRAL MISSOURI, WARRENSBURG, MISSOURI. THERE WILL BE TWO DOCKET CALLS. THE FIRST WILL BE AT 9:30 A.M. AND THE SECOND AT 1:30 P.M.

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

5-Oct-2016

09:30

DIVISION 4

University of Central Missouri

1. **WD79151**

JACKSON COUNTY CIRCUIT COURT

JANELLE VELOCK (NOW HARVEY), RESPONDENT,

vs

ROBERT JOSEPH VELOCK III, APPELLANT.

ROBERT JOSEPH VELOCK III, Appellant

DAVID ANDREW KELLY

JANELLE VELOCK, Respondent

DAVID ANDREW LUNCEFORD

2. **WD79440**

COLE COUNTY CIRCUIT COURT

STATE OF MISSOURI, APPELLANT,

vs

TATUM CLARK MCMILLIAN, RESPONDENT.

STATE OF MISSOURI, Appellant

KATHARINE ANNE DOLIN

TATUM CLARK MCMILLIAN, Respondent Acting Pro Se -DID NOT FILE A BRIEF AND THUS WAIVES ARGUMENT.

3. **WD79566**

COLE COUNTY CIRCUIT COURT

KELLY SCOTT, APPELLANT

vs

**DEPARTMENT OF HEALTH AND SENIOR SERVICES, BUREAU OF EMERGENCY MEDICAL
SERVICES, RESPONDENT**

KELLY SCOTT, Appellant

DAVID FREDERICK BARRETT

BUREAU OF EMERGENCY MEDICAL SERVICES, Respondent

JASON KROL LEWIS

MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES, Respondent

JASON KROL LEWIS

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

5-Oct-2016

09:30

DIVISION 4

University of Central Missouri

4. WD78334

BENTON COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT,
vs
LEVI SCOTT ELLIOTT, APPELLANT.**

LEVI ELLIOTT, Appellant
CASEY ALLEN TAYLOR
STATE OF MISSOURI, Respondent
DORA FICHTER

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

5-Oct-2016

13:30

DIVISION 4

University of Central Missouri

1. **WD79287**

COLE COUNTY CIRCUIT COURT

WD79328

LUCINDA "CINDY" GUTHRIE, RESPONDENT,

vs

**LARRY REBMAN, DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS AND DIVISION OF
EMPLOYMENT SECURITY, APPELLANTS.**

STATE OF MISSOURI DIVISION OF EMPLOYMENT SECURITY, Appellant

BART ANTON MATANIC

LAWRENCE REBMAN, Appellant

BART ANTON MATANIC

LUCINDA GUTHRIE, Respondent

ROGER GORDON BROWN

DAVID J. MOEN

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