

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

DIVISION 1

**THOMAS H. NEWTON, PRESIDING JUDGE
MARK D. PFEIFFER, JUDGE
EDWARD R. ARDINI, JR., JUDGE**

DIVISION 2

**KAREN KING MITCHELL, PRESIDING JUDGE
ANTHONY REX GABBERT, JUDGE
W. DOUGLAS THOMSON, JUDGE**

DIVISION 3

**GARY D. WITT, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
THOMAS N. CHAPMAN, JUDGE**

DIVISION 4

**CYNTHIA L. MARTIN, CHIEF JUDGE, PRESIDING
ALOK AHUJA, JUDGE
W. DOUGLAS THOMSON, JUDGE**

ORAL ARGUMENT DOCKET – AUGUST, 2020

NOTICE TO COUNSEL

**IMPORTANT INFORMATION-EFFECTIVE IMMEDIATELY
SUBJECT TO FURTHER ORDER OF THIS COURT
DUE TO THE COVID-19 PANDEMIC**

MOTIONS FOR CONTINUANCES ARE DISCOURAGED ABSENT EXCEPTIONAL CIRCUMSTANCES. HOWEVER, IN THE EVENT A MOTION TO CONTINUE ORAL ARGUMENT IS FILED, IT SHOULD BE FILED WITHIN TEN (10) DAYS OF PUBLICATION OF THE DOCKET AND SHOULD CONTAIN, AT MINIMUM, A SPECIFIC REASON(S) FOR THE CONTINUANCE REQUEST THAT DETAILS THE ALLEGED EXCEPTIONAL CIRCUMSTANCES, CONSENT OF THE CLIENT, AND THE POSITION OF OPPOSING COUNSEL. SHOULD A MOTION FOR CONTINUANCE BE FILED AFTER TEN (10) DAYS FROM PUBLICATION OF THE DOCKET, THE MOTION MUST BE ACCOMPANIED BY THE ATTORNEY'S REPRESENTATION THAT, AFTER THE TEN (10) DAY WINDOW, CIRCUMSTANCES AROSE OUTSIDE THE CONTROL OF THE ATTORNEY NECESSITATING THE DELAYED FILING OF THE MOTION TO CONTINUE.

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 AUGUST 11 AND 20, 2020. DOCKET CALL ON AUGUST 11 WILL BE AT 9:00 A.M. AND ON AUGUST 20, AT 1:30 P.M.

DIVISION 2: THIS DIVISION WILL SIT ON AUGUST 5 AND 26, 2020. DOCKET CALLS WILL BE AT 9:00 A.M.

DIVISION 3: THIS DIVISION WILL SIT ON AUGUST 4 AND 25, 2020 . DOCKET CALLS WILL BE AT 9:00 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON AUGUST 12, 2020 . DOCKET CALL WILL BE AT 9:00 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.

ARGUMENT TIMES:

Counsel will be allowed a maximum of 10 minutes per side with an additional three minutes 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.

Susan C. Sonnenberg, Clerk

DIVISION 3

GARY D. WITT, PRESIDING JUDGE

LISA WHITE HARDWICK, JUDGE

THOMAS N. CHAPMAN, JUDGE

AUGUST, 2020

IMPORTANT NOTE

**THIS DIVISION WILL SIT ON AUGUST 4 AND 25, 2020. DOCKET
CALLS FOR BOTH DATES WILL BE AT 9:00 A.M.**

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

4-Aug-2020 09:00

DIVISION 3

Western District Ct of Appeals

1. **WD82836**

RANDOLPH COUNTY CIRCUIT COURT

IN THE MATTER OF THE CARE AND TREATMENT OF DANIEL J JENSEN, APPELLANT

vs

STATE OF MISSOURI, RESPONDENT

DANIEL JOSEPH JENSEN, Appellant

AMY ELIZABETH LOWE

OFFICE OF ATTORNEY GENERAL, STATE OF MISSOURI, Respondent

NATHAN JEREMY AQUINO

2. **WD83291**

JOHNSON COUNTY CIRCUIT COURT

TIFFANY TRAWEEK, APPELLANT,

vs

TIMOTHY SMITH AND DAVIS & BELL AUCTION SERVICE, LLC, RESPONDENTS.

TIFFANY TRAWEEK, Appellant

EDWARD ALAN WILLIAMS

DAVIS & BELL AUCTION SERVICE LLC, Respondent

MOLLY BROWN BARTALOS

TIMOTHY SMITH, Respondent

MOLLY BROWN BARTALOS

3. **WD83433**

JOHNSON COUNTY CIRCUIT COURT

MICHELLE EICKHOFF, ET AL., APPELLANTS,

vs

DOUGLAS GELBACH, ET AL., RESPONDENTS.

JOHN EICKHOFF, Appellant

RICHARD SCOTT FISK

MICHELLE EICKHOFF, Appellant

RICHARD SCOTT FISK

RHONDA GELBACH, Respondent

ANDREW SHEPHERD MENDELSON

PAUL DOUGLAS COWING

DOUGLAS GELBACH, Respondent

ANDREW SHEPHERD MENDELSON

PAUL DOUGLAS COWING

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

25-Aug-2020 09:00

DIVISION 3

Western District Ct of Appeals

1. **WD83002**

JACKSON COUNTY CIRCUIT COURT

MARLON PRICE AND MICHELLE PRICE, RESPONDENTS,
vs
SHIRLEY THOMPSON, RESPONDENT AND YOUNG AMERICA INSURANCE COMPANY,
APPELLANT.

YOUNG AMERICA INSURANCE COMPANY, Appellant
WILLIAM RAY PRICE JR
LYNN W. HURSH
MEGAN JARVIS OCHS
KATHRYN MARIE BASCOM

MICHELLE PRICE, Respondent
KIRK ROWAN PRESLEY
MATTHEW ALLEN MCCOY

MARLON PRICE, Respondent
KIRK ROWAN PRESLEY
JOSEPH MICHAEL BACKER

MICHELLE PRICE, Respondent
KIRK ROWAN PRESLEY
JOSEPH MICHAEL BACKER

SHIRLEY THOMPSON, Respondent
ANDREW SIMON LEROY

MARLON PRICE, Respondent
KIRK ROWAN PRESLEY
MATTHEW ALLEN MCCOY

2. **WD83128**

JACKSON COUNTY CIRCUIT COURT

STATE OF MISSOURI, RESPONDENT,
vs
KEITH HUDSON #1071998, APPELLANT.

KEITH B HUDSON, Appellant
KATHRYN MARIE MERWALD

STATE OF MISSOURI, Respondent
DANIEL NEAL MCPHERSON

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

25-Aug-2020 09:00

DIVISION 3

Western District Ct of Appeals

3. WD82331

PLATTE COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT,
vs
GREGORIO L DAVIS #1315791, APPELLANT.**

GREGORIO L. DAVIS, Appellant
JEFFREY CHRISTOPHER ESPARZA
STATE OF MISSOURI, Respondent
DANIEL NEAL MCPHERSON
