

FORM NO. 16. SUMMARY FOR ORIGINAL WRITS
IN THE WESTERN DISTRICT COURT OF APPEALS

FILED
06 JAN 24 AM 11:25
WESTERN DISTRICT COURT OF APPEALS

STATE OF MISSOURI ex rel.

Harold-Ray: Stanley,
Relator

vs.

No. WD06453

The Honorable Jack Grate,
The Honorable Jay Daugherty,
Les Wight, Esq
Respondents

WRIT SUMMARY

Identity of parties and their attorneys in the underlying action, if any:

Harold Stanley, former husband, Relator; Respondents the Honorable Jack Grate,
16th Judicial Circuit, Division 17; the Honorable Jay Daugherty, Presiding Judge,
16th Judicial Circuit, Les Wight, Esquire, attorney for former wife

Nature of underlying action, if any:

Contempt proceedings on maintenance payments by former husband.

Action of Respondent being challenged, including date thereof:

Hearings, orders, motions, and other proceedings since Relator's removal of the
case to Federal court on March 24, 2005. Specifically, judgment entered and
arrest order issued on December 9, 2005, and hearing scheduled for January 26,
2006.

Relief sought by Relator:

Estop proceedings on the reposed case, and expunge all records of proceedings since March 24, 2005.

Date case set for trial, if set, and date of any other event bearing upon relief sought (e.g., date of deposition or motion hearing):

Arrest warrant since December 9, 2005, and hearing set for January 26, 2006.

Date, court and disposition of any previous or pending writ proceeding concerning the action or related matter:

25 October 2005, Federal District Court, Western District of Missouri, dismissed the removed case.

IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT

FILED
06 JAN 24 AM 11:25
MISSOURI COURT OF APPEALS
WESTERN DISTRICT

Harold-Ray: Stanley,)
Relator)
v.) Circuit Case No.: 16DR96-08993
The Honorable Jack Grate,) Division 17
16th Judicial Circuit, Division 17,) WDbk453
The Honorable Jay Daugherty,)
Presiding Judge, 16th Judicial)
Circuit)
Les Wight,)
Attorney for Marcia E. Stanley,)
Respondents)

PETITION FOR WRIT OF PROHIBITION

Comes now Relator Harold-Ray: Stanley, *propria persona*, pursuant to Rule 97, and petitions this court to issue a Writ of Prohibition to order the Honorable Jack Grate from proceeding against Relator in the above-referenced reposed case for failure to establish lawful jurisdiction in this matter. The circuit court has acted *ex parte* and *ultra vires*, under color of state law, to deprive former husband of liberty and property.

Statement of the Facts

In support of his petition Relator states:

1. On 24 March 2005 the former husband properly removed this action to Federal court and properly noticed all parties and the clerk of this court pursuant to 28 U.S.C. 1446. (see attached date stamped 24 March 2005 Notice of Filing of Notice of Removal filed with the clerk of the circuit court, Exhibit A.)

2. On 9 September 2005 the Federal court issued a Scheduling and Trial Order. (see attached Scheduling and Trial Order Exhibit B)
3. This court proceeding, at the request of the former wife, was dismissed in Federal court pursuant to Federal district court order dated October 25, 2005. (see attached Order, Exhibit C)
4. Removal was proper under 28 U.S.C. §§ 1441, 1446 and 1447.
5. Pursuant to 28 U.S.C 1446 (d),

“28 U.S.C. 1446 (d) Promptly after the filing of such notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of such State court, which shall effect the removal and the State court shall proceed no further unless and until the case is remanded.
6. The Federal district court did not remand this action to the circuit court.
7. On July 19, 2005 the former wife, through counsel, moved the Federal district court to dismiss this action. (see attached Motion to Dismiss, Exhibit D)
8. On October 25, 2005 the Federal district court dismissed all claims. It did not remand.
9. By action of the former wife, through counsel, this action was reposed.
10. The former wife is estopped from any further proceedings as she requested dismissal.
11. The former wife had a choice to move for remand or move for dismissal and chose the latter.

12. The former wife did not avail herself of a procedure to permit the circuit court to reassume jurisdiction.
13. By her own choosing the former wife must now be estopped from attempting to revive a reposed action in the circuit court which lacks jurisdiction. To do otherwise would prejudice the former husband.
14. On November 15, 2005, the circuit court issued a Notice of Hearing for December 9, 2005, in response to former wife's Application for Review of Contempt dated October 31, 2005. (see attached Exhibit E)
15. Notice of lack of jurisdiction was served November 28, 2005, in the manner prescribed by law, on the circuit court and on the former wife's attorney. (see attached Former Husband's Answer to Application for Review of Contempt and Answer to Notice of Hearing Exhibit F)
16. The circuit court subsequently provided no evidence of lawful jurisdiction in this matter.
17. The circuit court conducted a hearing on the reposed case on December 9, 2005, and filed the Relator's notice into the court record. Relator did not attend the hearing for the already-reposed case, as noticed on November 28, 2005.
18. The circuit court established no lawful jurisdiction, but entered judgment and issued an arrest warrant for the body of Relator on December 9, 2005. (see attached Judgment Entry-Review of Contempt, and arrest order, Exhibit G)
19. The circuit court established no lawful jurisdiction, but ordered Relator to appear in court on January 26, 2006 for continued hearings on the already-reposed case.

- Order was received by Relator on January 12, 2006, at 6 p.m. CST. (see attached Order to Show Cause for January 26, 2006, Exhibit H)
20. Relator refused the order for lack of jurisdiction on January 13, 2006, at 1:18 p.m. CST by mail delivered to the US Postal Service. (see attached Refusal of Order to Show Cause, Exhibit I)
21. Delivery of Relator's refusal was attempted on January 14, 2006, at 8:35 a.m. CST, and notice was left. (see Track & Confirm for Label 7002 3150 0002 0726 3149, attached Exhibit J). Former wife's attorney received the refusal on January 17, 2006 at 10:14 a.m. CST. (see Track & Confirm for Label 7002 3150 0002 0726 3132, attached Exhibit K)
22. Relator's refusal included notice that jurisdiction was not established timely after service of notice of lack of jurisdiction. (see attached Exhibit I)
23. Attorney Michael C. McIntosh is still the attorney of record for Relator before the circuit court. Neither the circuit court nor Relator has released him. Respondents have not noticed Attorney Michael C. McIntosh of these proceedings. (see Exhibits E, G, and H)

Reasons to Issue Writ

This Court has original jurisdiction to prohibit the 16th Judicial Circuit from continuing these ultra vires proceedings. The Missouri Constitution, Article V, Section 4.1, states:

“The supreme court shall have general superintending control over all courts and tribunals. Each district of the court of appeals shall have general superintending control over all courts and tribunals in its jurisdiction. The supreme court and districts of the court of appeals may issue and determine original remedial writs. Supervisory authority over all courts is vested in the supreme court which may make appropriate delegations of this power.”
[Emphasis added]

RSMO, §530.020, states:

“The supreme court, and each division thereof, the court of appeals and the circuit courts, within their several jurisdictions, and also the judges of the supreme court and court of appeals and circuit judges to the extent herein provided in this chapter, shall have power to hear and determine proceedings in prohibition.”

“Prohibition will lie only to prevent an abuse of judicial discretion, to avoid irreparable harm to a party, or to prevent exercise of extra-jurisdictional power.” *State ex rel. Linthicum v. Calvin*, 57 S.W.3d 855, 856-57 (Mo. banc 2001) (See also State of Missouri, ex rel. Bobby Joe Mayes, Relator v. The Honorable John D. Wiggins, Respondent, Mo. SC85657, citing State ex rel. Linthicum v. Calvin, 57 S.W.3d 855, 856-57 (Mo. banc 2001)).

In this instance the trial court’s entertaining hearings and entering orders is ultra vires, i.e. without jurisdictional power. The conduct of the trial court has caused the Relator irreparable harm. Issuance of a writ of Prohibition to the trial court to quash its orders of December 9, 2005, and January 5, 2006 and void its proceedings as well as to cease from all further conduct in this federally dismissed action is proper.

The circuit court’s exercise of extra-judicial power has caused significant and continuing irreparable harm to the Relator’s livelihood, health, and reputation in the

community. The ultra vires order has been effected by the Jackson County Sheriff's Department. The Relator is now subject to arrest, and community stigmatization as a result of the ultra vires proceedings and order.

This case presents precisely the sort of exceptional circumstances that warrant the exercise of this Court's prohibition jurisdiction.

"Prohibition is a kind of common-law injunction to prevent an unlawful assumption of jurisdiction. ... It is a common-law injunction against governmental usurpation, as where one is called coram non iudice (before a judge unauthorized to take cognizance of the affair)." Black's Law Dictionary, Eight Edition, citing Benjamin J. Shipman, Handbook of Common-Law Pleading § 341, at 542 (Henry Winthrop Ballantine ed., 3d ed. 1923).

" [W]here the officer's powers are limited by statute, his actions beyond those limitations are considered individual and not sovereign actions. The officer is not doing the business which the sovereign has empowered him to do or he is doing it in a way which the sovereign has forbidden. His actions are ultra vires his authority and therefore may be made the object of specific relief. Larson v. Domestic & Foreign Commerce Corp., 337 U.S. 682, 690 (1949)

For the above stated reasons this court must issue the petitioned writ to vacate the December 9, 2005 contempt and commitment orders, the January 5, 2006 Order to Show Cause, and instruct the 16th Judicial Circuit Court to cease and desist all further proceedings in this case as it lacks any jurisdiction.

Suggestions in Support

Notice of Removal – The Law is Clear

28 U.S.C. § 1446 governs the procedure for Removal of a state action to federal court. The facts above demonstrate full compliance with the federal statute.

The removal of a case from state court to federal court effects a transfer of the entire action, including all the parties and all the claims, to the federal court. City of Gainesville v. Brown-Crummer Investment Co., 277 U.S. 54, 60 (1928); Arango v. Guzman Travel Advisors Corp., 621 F.2d 1371, 1376 (5th Cir. 1980); Murphy v. Kodz, 351 F.2d 163, 167 (9th Cir. 1965); Hartlein v. Illinois Power Co., 601 N.E.2d 720, 726 (Ill. 1992). A defendant, upon filing a notice of removal, “shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk” of the state court, which effects the removal. 28 U.S.C. § 1446(d). At that point, “the [s]tate court shall proceed no further unless and until the case is remanded.” *Id.*

“After compliance with the removal statute[,] the jurisdiction of the [s]tate court is suspended until there has been a remand.” Levine v. Lacy, 204 Va. 297, 300, 130 S.E.2d 43, 445 (1963); accord Yarnevic v. Brink’s, Inc., 102 F.3d 753, 754 (4th Cir. 1996); Maseda v. Honda Motor Co., 861 F.2d 1248, 1254 (11th Cir. 1988); Allman v. Hanley, 302 F.2d 559, 562 (5th Cir. 1962). “Any subsequent proceedings in state court on the case are void ab initio.” Maseda, 861 F.2d at 1254-55 (citing Steamship Co. v. Tugman, 106 U.S. 118, 122 (1882)); accord South Carolina v. Moore, 447 F.2d 1067, 1073 (4th Cir. 1971). A later determination that the removal petition was not proper does not change that outcome. See Maseda, 861 F.2d at 1254 n.11; Moore, 447 F.2d at 1073; United States v. Silbergitt, 441 F.2d 225, 227 (2d Cir. 1971); Lowe v. Jacobs, 243 F.2d 432, 433 (5th Cir. 1957).

A proper filing of a notice of removal immediately strips the state court of its jurisdiction. 28 U.S.C. § 1446(d), State of South Carolina v. Moore, 447 F.2d 1067, 1073 (4th Cir. 1971).

The subject case was dismissed, not remanded, by the Federal court. Therefore, all state court proceedings subsequent to the March 24, 2005 removal are void *ab initio*.

Suggestions in Support -

The Ultra Vires Conduct

An official act does not become ultra vires if the officer was statutorily empowered to act but may have acted erroneously. Wyoming v. United States, 279 F.3d 1214, 1229-30 (10th Cir. 2002). Here the Defendants were not statutorily empowered to act. On the contrary, they were explicitly prohibited from acting pursuant to 28 U. S.C. § 1446 (d)

The conduct of the Honorable Jack Grate in state court after proper removal on March 24, 2005 was ultra vires. 28 U.S.C. § 1446 transferred all jurisdiction to federal court if proper notice of removal was performed. It was.

Prayer for Relief

Harold-Ray: Stanley has suffered irreparable harm from the Respondents' ex parte and ultra vires actions in this matter. Relator has suffered irreplaceable economic loss and direct expense preparing documents to preserve his rights since the removal to Federal court on March 24, 2005. Relator, his present spouse, his parents, and his friends

have suffered great emotional distress from the ultra vires arrest order issued during the 2005 holiday season.

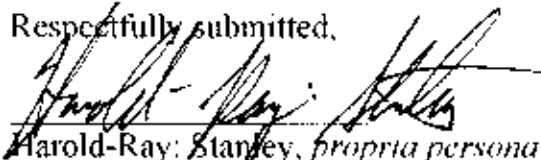
Wherefore Harold-Ray: Stanley, Relator, *propria persona*, prays this court issue a writ of prohibition to the 16th Judicial Circuit Court, to wit:

1. To immediately quash its order of contempt dated December 8, 2005.
2. To immediately quash its order of commitment dated December 9, 2005.
3. To immediately quash its Order to Show Cause dated January 5, 2006.
4. To immediately quash any and all other proceedings on the reposed case.
5. To direct the Court Clerk to expunge all paper and electronic copies of all circuit court proceedings since the removal to Federal court on March 24, 2005.
6. To direct the Court Clerk to remove all CaseNet ® references, including but not limited to docket entries, since the removal to Federal court on March 24, 2005.
7. To direct the Court Clerk to annotate any permanent original paper records by crossing out all references to proceedings conducted since the removal to Federal court on March 24, 2005, and writing across with the words "expunged by order of the Western District Court of Appeals".
8. To direct the Jackson County Sheriff's Department to expunge all paper and electronic copies of the commitment order, or any other documents received since the removal to Federal court on March 24, 2005.
9. To direct the Jackson County Sheriff's Department to annotate any permanent original paper records by crossing out all references since the removal to Federal

court on March 24, 2005, and writing across with the words "expunged by order of the Western District Court of Appeals".

10. To direct the former wife's attorney to expunge all paper and electronic copies of all pleadings, motions, and other papers filed since March 24, 2005.
11. To direct the former wife's attorney to annotate any permanent original paper records required by statute or by trade practice, since the removal to Federal court on March 24, 2005, by bold crossing-out on all full pages, and crossing out all references, and writing across with the words "expunged by order of the Western District Court of Appeals".
12. To estop the former wife from any future proceedings regarding this action.

Respectfully submitted,


Harold-Ray Stanley, *propria persona*
c/o 10707 E. 240th Street
Peculiar, MO 64078
Telephone: 816-779-4284
E-mail: hstanley@casstel.net

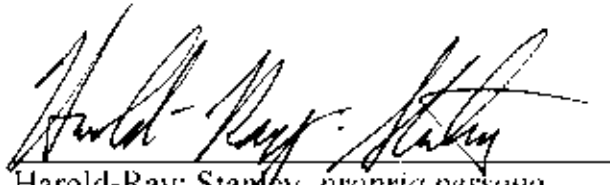
CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of January, 2006, I caused a true and accurate copy of the foregoing to be served via U.S. Mail postage prepaid to

The Honorable Jack Grate
Jackson County Courthouse Annex
308 W. Kansas
Independence Mo. 64050

The Honorable Jay Daugherty, Presiding Judge
16th Judicial Circuit Court of Jackson County Missouri
415 E. 12th St, 5th floor, Division 13
Kansas City, Missouri 64106

Les D. Wight, Esq.
Attorney for Marcia E. Stanley
501 W. Lexington
Independence, Mo. 64050



Harold-Ray Stanley, *propria persona*
All rights reserved
c/o 10707 E. 240th Street
Peculiar, MO 64078
Telephone: 816-779-4284
E-mail: hstanley@casstel.net

Copy to:
Jackson County Sheriff's Department
Captain Campbell, Warrant Unit
3310 NE Rennau
Lee's Summit, MO 64064



EQ 121889735 US

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code 67846	Day of Delivery Next 1st 2nd 3rd 4th 5th	Postage \$ 2.50
Date Accepted 1 25 06	Scheduled Date of Delivery Month 1 Day 25	Return Receipt Fee \$
Mo. Day Year 1 18 PM	Scheduled Time of Delivery Morning Afternoon Evening	COD Fee Insurance Fee \$ \$
Time Accepted 10:15 PM	Military	Total Postage & Fees \$ 2.50
Package Weight 3.80 lbs.	Int'l Alpha Country Code	Acceptance Emp. Initials R

FROM: (PLEASE PRINT) PHONE: 816 779 4284

Harold Ray Stanley
c/o 10707 E. 240th St
Berkeley, Missouri 64078

FOR PICKUP OR TRACKING
Visit www.usps.com
Call 1-800-222-1811



Customer Copy Label 11-R, March 2006

UNITED STATES POSTAL SERVICE® Post Office To Address

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	AM	Employee Signature
Mo. Day	Time	PM	Employee Signature
Delivery Date	Time	AM	Employee Signature
Mo. Day	Time	PM	Employee Signature

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
Express Mail Corporate Acct. No. **WAVES OF SIGNATURE (Domestic Mail Only)**
Additional merchandise insurance is valid if customer requests waiver of signature. If delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitute valid proof of delivery.

Federal Agency Acct. No. or Postal Service Acct. No. **NO DELIVERY**
Weekend Holiday Mailer Signature

TO: (PLEASE PRINT) PHONE: ()

Western District Court of Appeals
1300 Oak
Kansas City, MO 64106

ZIP+4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES):
64106+
FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.



EQ 121889721 US

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code 67846	Day of Delivery Next 1st 2nd 3rd 4th 5th	Postage \$ 11.10
Date Accepted 1 23 06	Scheduled Date of Delivery Month 1 Day 23	Return Receipt Fee \$
Mo. Day Year 1 17 06	Scheduled Time of Delivery Morning Afternoon Evening	COD Fee Insurance Fee \$ \$
Time Accepted 10:17 11PM	Military	Total Postage & Fees \$ 11.10
Package Weight 1.00 lbs.	Int'l Alpha Country Code	Acceptance Emp. Initials R

FROM: (PLEASE PRINT) PHONE: 816 779 4284

Harold Ray Stanley
c/o 10707 E. 240th St
Berkeley, MO 64078

FOR PICKUP OR TRACKING
Visit www.usps.com
Call 1-800-222-1811



Customer Copy Label 11-B, March 2006

UNITED STATES POSTAL SERVICE® Post Office To Address

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	AM	Employee Signature
Mo. Day	Time	PM	Employee Signature
Delivery Date	Time	AM	Employee Signature
Mo. Day	Time	PM	Employee Signature

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
Express Mail Corporate Acct. No. **WAVES OF SIGNATURE (Domestic Mail Only)**
Additional merchandise insurance is valid if customer requests waiver of signature. If delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitute valid proof of delivery.

Federal Agency Acct. No. or Postal Service Acct. No. **NO DELIVERY**
Weekend Holiday Mailer Signature

TO: (PLEASE PRINT) PHONE: ()

The Honorable Jack Insig
Jackson County Courthouse
307 W Kansas
Independence MO 64450

ZIP+4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES):
64450+
FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.

GARDEN CITY PO
GARDEN CITY, Kansas
678465505
3066480621-0095

01/23/2006 (316)276-3627 10:22:12 AM

Sales Receipt			
Product Description	Sale Qty	Unit Price	Final Price
Dom. Money Order 06991945382			\$70.00
Domestic Money Order Fee			\$0.95
Subtotal:			\$70.95
\$1 Wisdom PSA	2	\$1.00	\$2.00
23c Stamp	1	\$0.23	\$0.23
23c Stamp	1	\$0.23	\$0.23
23c Stamp	1	\$0.23	\$0.23
10c American	1	\$0.10	\$0.10
Clock PSA			
KANSAS CITY MO 64106			\$25.50
Express Mail PO-ADD			
3 lb. 3.80 oz.			
Label #:	EQ121889735US		
2nd Day 3PM	/ Normal		
Delivery			

Issue PVI: \$25.50

INDEPENDENCE MO 64050 EM
PO-Add Flat Rate
12.10 oz.
Label #: EQ121889721US
2nd Day 3PM / Normal
Delivery

Issue PVI: \$14.40

KANSAS CITY MO 64106
First-Class
10.70 oz.
Certified
Label #: 70051820000244082159

Issue PVI: \$5.19

INDEPENDENCE MO 64050
First-Class
10.70 oz.
Certified
Label #: 70051820000244082142

Issue PVI: \$5.19

LEES SUMMIT MO 64064
First-Class
10.50 oz.
Certified
Label #: 70051820000244082135

Issue PVI: \$5.19

Total: \$129.21

Paid by:
Cash \$200.21
Change Due: -\$71.00

Order stamps at USPS.com/shop or call
1-800-Stamp24. Go to
USPS.com/clicknship to print shipping
labels with postage. For other
information call 1-800-ASK-USPS.
Bill #: 1000502011470
Clerk: 04

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.
Customer Copy

7005 1820 0002 4408 2135

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 12.79	
Certified Fee	\$2.40	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 15.19	

Sent To: *Jackson County Sheriffs Dept*
Street, Apt. No., or PO Box No.:
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

7005 1820 0002 4408 2142

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 12.79	
Certified Fee	\$2.40	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 15.19	

Sent To: *Les D. Wight, Esq.*
Street, Apt. No., or PO Box No.:
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

7005 1820 0002 4408 2159

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 12.79	
Certified Fee	\$2.40	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 15.19	

Sent To: *Jay Vaugherty*
Street, Apt. No., or PO Box No.:
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

INDEX OF EXHIBITS

Exhibit A - 24 March 2005 Notice of Filing of Notice of RemovalA1-A11

Exhibit B - 9 September 2005 Scheduling and Trial Order B1-B7

Exhibit C - 25 October 2005 Order to Dismiss C1-C6

Exhibit D - 19 July 2005 Motion to Dismiss..... D1-D7

Exhibit E - 15 November 2005 Notice of Hearing for December 9, 2005..... E1-E3

Exhibit F - 28 November 2005 Former Husband's Answer to Application for Review of
Contempt and Answer to Notice of Hearing F1-F3

Exhibit G - Judgment Entry-Review of Contempt, and arrest order G1-G3

Exhibit H - 5 January 2006 Order to Show Cause..... H1

Exhibit I - 13 January 2006 Refusal of Order to Show Cause..... I1-I3

Exhibit J - Track & Confirm for Label 7002 3150 0002 0726 3149.....J1

Exhibit K - Track & Confirm for Label 7002 3150 0002 0726 3132..... K1

05
11/24/05
11/25/05