

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

KANSAS CITY DIVISION

CIVIL COMPLAINT

Harold-Ray: Stanley,)
Plaintiff)
vs.)
The Honorable Jack Grate)
<i>In his official capacity and in his</i>)
<i>personal capacity,</i>)
Lester D. Wight, Esq.)
Marcia E. Stanley)
Defendants)

06-0752-CV-W : GAF

Case No.:

**VERIFIED
COMPLAINT and
JURY DEMAND**

**COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF;
DAMAGES FOR CIVIL RIGHTS VIOLATIONS AND;
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AND
WRIT OF MANDAMUS**

I. Parties to this Civil Action

A. Name of Plaintiff	Harold-Ray: Stanley
Address	c/o 10707 E. 240 th St Peculiar, Missouri 64078 e-mail: hstanley@casstel.net Phone: 816-210-5905

B. Defendant, Jack Grate, is a judge in the Sixteenth Judicial Circuit of Jackson County
Missouri at Independence Missouri

C. Additional Defendants:

Lester Wight, Esq., is an attorney in the State of Missouri, with office in Independence Missouri, representing Plaintiff's ex-wife Marcia E. Stanley.

Marcia E. Stanley, to the best of Plaintiff's knowledge, is employed as a cafeteria manager for the Lee's Summit Missouri school district.

II. Statement of Claim

Plaintiff, Harold-Ray: Stanley, *pro se* with assistance of counsel, brings this action to obtain redress for the deprivation and conspiracy to deprive Plaintiff of his federally protected rights as hereafter alleged, for intentional infliction of emotional distress, as well as for declaratory, injunctive, compensatory damages, and punitive damages relief. The claims are based on conspiracy of the defendants through a series of ultra vires judicial proceedings culminating in ex parte ultra vires conduct exercising a flagrant abuse of judicial arrest power designed to improperly deny the Plaintiff his First, Fifth and Fourteenth Amendment United States Constitution civil rights.

STATEMENT OF THE FACTS

1. Harold-Ray: Stanley permanently separated from Marcia E. Stanley in September 1994.
2. Harold Ray: Stanley was granted his petition for dissolution of his marriage to Marcia E. Stanley in December 2000 by the Sixteenth Circuit Court of Missouri, Jackson County Missouri. (Sixteenth Judicial Circuit Court Case Number DR96-08993)
3. Marcia E. Stanley was awarded substantially all of the marital property, both real property and household property.
4. Harold Ray: Stanley was awarded his personal belongings, and most of the marital debt.
5. The court awarded substantial alimony against the former husband to the former wife which he paid for nearly 4 years after the dissolution

6. Harold-Ray: Stanley's wage earning capacity as an electrical engineer serving the electric utility industry, was severely reduced in the electric utility industry collapse following the Enron scandal in late 2001. As it became clear in 2002 and 2003 that this circumstance was substantial and continuing, Harold Ray: Stanley, through counsel, filed a Motion to Modify Maintenance on April 7, 2004.
7. Defendant Jack Grate entered an Order of Contempt against Harold Ray: Stanley on July 1, 2004, following a May 14, 2004 hearing on the issue of alimony payment arrearages. An incomplete Order of Contempt was first entered on May 26, 2004, over 5 months prior to Harold-Ray: Stanley's presentation of evidence concerning his inability to pay. Harold-Ray: Stanley's evidence concerning inability to pay was first entered on November 5, 2004, some 7 months after his Motion to Modify Maintenance was filed on April 7, 2004.
8. Defendant Jack Grate, on November 8, 2004, reduced Harold Ray: Stanley's alimony obligation by 17%, in the face of evidence that Harold-Ray: Stanley's earning capacity had reduced over 30%, and Harold Ray: Stanley had fully depleted all retirement savings in 2003 and 2004 to pay virtually all alimony demands through September 2004.
9. Defendant Jack Grate, on February 24, 2005, added the threat of incarceration for failure to pay the full alimony demanded by the Court orders.
10. On March 24, 2005 the Plaintiff, *pro se*, removed his state action to this Federal District Court pleading newly created 42 U.S.C. § 1983 violations by Defendants Marcia E. Stanley and The Honorable Jack Grate. (United States District Court, Western Missouri District Case Number 05-0281-CV-W-GAF). (Appendix A: Notice of Filing of Notice of Removal filed in Sixteenth Judicial Circuit Court of Missouri)
11. On March 25, 2005 counsel for the Plaintiff telephoned Defendant Lester Wight, Esq. Plaintiff's counsel told Lester Wight removal of the state action had been effected to the Western District of Missouri Federal District Court with proper notice to the Clerk of the

- Sixteenth Judicial Circuit Court of Missouri. Counsel also faxed Defendant Lester Wight, Esq. the date stamped Notice of Removal. Plaintiff also mailed the removal documents to all defendants in the U.S. mail.
12. On March 25, 2005 counsel for the Plaintiff made special appearance before Defendant The Honorable Jack Grate, providing a copy of the Clerk's stamped notice of removal, and informing Defendants that removal to the Western District of Missouri Federal District Court had been effected on March 24, 2005, and that Sixteenth Judicial Circuit Court of Missouri no longer had jurisdiction, there was no jurisdiction for the contempt hearing as scheduled for March 25, 2005, and that Harold-Ray: Stanley was not going to appear.
 13. On September 9, 2005, this Federal District Court issued a Scheduling and Trial order for the removed case.
 14. On October 25, 2005, this Federal District Court dismissed the case as requested by Marcia E. Stanley through counsel. The case was not remanded back to State court.
 15. On November 15, 2005, Defendant The Honorable Jack Grate acting in concert together with Les Wight, Esq., issued a Notice of Hearing for December 9, 2005.
 16. On November 28, 2005, Harold Ray: Stanley informed the State Court that it was without jurisdiction to proceed on this case, citing 28 U.S.C 1446 (d).
 17. Lacking all jurisdiction, on December 9, 2005 the Defendant The Honorable Jack Grate, acting in a ministerial, not neutral adjudicator capacity, in concert with the other defendants did knowingly, willfully, wantonly, and with malice enter a contempt order and bodily commitment order and issue an arrest warrant ex parte, ultra vires, that is still in effect today against the Plaintiff. (Appendix C: Judgment Entry, Review of Contempt)
 18. Lacking any jurisdiction because the federal court had dismissed the case, on January 5, 2006, Defendant The Honorable Jack Grate issued an Order to Show Cause. Order was received by Harold-Ray: Stanley on January 12 2006 and

refused on January 13, 2006 for lack of jurisdiction. (Appendix D: Refusal of Order to Show Cause)

19. All Defendants together conspired to deny the Plaintiff his federal constitutional rights by persistent litigation in state court absent any jurisdiction in that forum and after they voluntarily sought dismissal of the action when it was in federal court.
20. The conspiratorial conduct of the Defendants has deprived the Plaintiff the exercise of his civil rights, i.e. First Amendment right of association with family, friends, and professional colleagues in Missouri, Fifth Amendment, inter alia, right to travel in, around and out of Missouri, and Fourteenth Amendment due process and equal protection rights.

COUNT I

DECLARATORY RELIEF

21. Plaintiff alleges and incorporates 1-20 above.
22. The Plaintiff is entitled to the protections of the First, Fifth, and Fourteenth Amendments of the United States Constitution liberty interests, particularly the right of association, right to travel, right to due process and equal protection.

COUNT II

DEPRIVATION OF CONSTITUTIONAL RIGHTS AND PRIVILEGES

23. Plaintiff alleges and incorporates 1-20 above.
24. Plaintiff is entitled to the due process of law under the First, Fifth and Fourteenth Amendments of the United States Constitution.
25. Defendant The Honorable Jack Grate, acting under color of state law in his ministerial capacity, officially and personally, contrary to then well known law knowingly and willfully entered impermissible extrajurisdictional ultra vires orders depriving the Plaintiff of his Fourteenth amendment due process rights

26. The Defendants were informed of the law, by Plaintiff's and Plaintiff's counsel's repeated notices. The law was well settled and known to a reasonable person, to the Missouri Bar, and to the Missouri Judiciary at the times of the ex parte ultra vires orders.
27. To this date, Plaintiff has not received any notice, or been provided with any memorandum of law, that might lawfully revive the case reposed by this Federal District Court on October 25, 2005. Over 8 months have expired since Plaintiff's November 28, 2005 notice to the court of lack of jurisdiction; the notice of lack of jurisdiction stands as a no-answer default judgment in favor of the Plaintiff.
28. All Defendants, acting under color of state law, acted to deprive the Plaintiff of his First Amendment right of association, Fifth Amendment right to travel and Fourteenth Amendment due process right by participating in an ex parte ultra vires hearing on December 9, 2005, communicating ex parte and ultra vires on matters of law to the detriment of the Plaintiff, and conspiring to effect on December 9, 2005 an ex parte ultra vires contempt, bodily commitment order, and arrest warrant against him. Such conduct, under color of state law, has resulted in the Plaintiff's loss of civil rights.
29. All Defendants, in concert, under color of state law, caused the Plaintiff the deprivation of his civil rights under the First, Fifth and Fourteenth amendment.
30. The law on divestiture of state court jurisdiction after proper removal should have been well settled and known to a reasonable person, the Missouri Judiciary, and Missouri state attorneys at the time of the ex parte ultra vires conduct and abuse of judicial arrest power effecting the civil rights violations noted herein.
31. All Defendants knowingly conspired, under color of state law, with deliberate indifference, via the improvident abuse of judicial arrest power, and deprivation of due process and liberty interest when they initiated and continued ex parte ultra vires state court proceedings to deprive the Plaintiff of his civil rights

32. The conduct of all Defendants, under color of state law, to deprive the Plaintiff of his liberty interest and due process rights under the First, Fifth and Fourteenth Amendments is actionable.

COUNT III

CONSPIRACY TO DEPRIVE PERSONS OF EQUAL PROTECTION OF THE LAWS

33. Plaintiff alleges and incorporates 1-20 above.
34. All Defendants conspired, and perhaps with others currently unknown to this Plaintiff, to deprive the Plaintiff of equal protection of the laws and of equal privileges and immunities under the laws, as further set forth in Count I above. The conspirators, all acting under color of state law, committed some acts in furtherance of the conspiracy which included participating in ex parte judicial hearings, communications, and issuance of contempt order, commitment order and arrest warrant to the Jackson County Sheriff's Department for the arrest of the Plaintiff.
35. As a result of the conspiracy, the Plaintiff was injured by Defendants in his ability to associate with family, friends, professional colleagues; to travel into and out of the state of Missouri; to work at his profession; he suffered loss to his reputation; was deprived of his right to the exercise of his pursuit of happiness and; was deprived of the rights and privileges as a citizen of the United States, as are more fully set forth in Count I.

COUNT IV

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

36. Plaintiff alleges and incorporates 1-20 above.
37. The conduct of all Defendants was odious, perverse, and outrageous, to relish in the delight of repeated ex parte ultra vires conduct to deprive the Plaintiff his freedom and to utterly disregard and flaunt voluminous federal law denying them the authority to which they exercised self aggrandizement of jurisdiction

38. All Defendants, willfully, wantonly, and with reckless abandon, lacking authority, and being fully aware of the damage such conduct would inflict on the personal and professional reputation of the Plaintiff as well as the emotional distress such conduct would inflict proceeded to improperly wield and abuse their arrest power.

39. As a result of the conduct of all Defendants noted above the Plaintiff has suffered severe emotional and psychological distress relating to fear of imprisonment, loss of emotional bonding with his children and his wife's grandchild, loss of personal and professional reputation and loss of present and future professional opportunities.

III. Relief

INJUNCTIVE RELIEF

40. Plaintiff alleges and incorporates 1-39 above.

41. The Plaintiff has and continues to be subject to the ultra vires arrest warrant that denies him his liberty interest and constitutional rights of association, travel and due process, inter alia.

42. The Plaintiff is entitled to temporary and permanent injunctive relief from the conduct of the Defendants which resulted in the deprivation of his civil rights.

WRIT OF MANDAMUS

43. Plaintiff alleges and incorporates 1-39 above.

44. This Court is authorized to issue a Writ of Mandamus to the Sixteenth Judicial Circuit Court of Missouri to quash its ultra vires December 9, 2005 contempt/ commitment order, to quash the state arrest warrant in effect against the Plaintiff, and to expunge all records since proper removal from State court on March 24, 2005.

45. The state court lacked jurisdiction from the time of removal to federal court, as the case was dismissed, not remanded.

IV. Do you claim the wrongs alleged in your complaint are continuing to occur at the

Yes. According to the Missouri CaseNet® web site, the arrest warrant remains in effect.

V. Do you claim actual or punitive monetary damages for the acts alleged in your complaint?

Yes

Count II, judgment against each Defendant, jointly and severally for compensatory damages in excess of \$ 1,000,000; punitive damages for each Defendant's wilful, outrageous and malicious conduct to be in excess of \$3,000,000; the costs of his suit and attorneys' fees; nominal damages, and such other and further relief as the Court may deem proper.

Count III, judgment against each Defendant, jointly and severally for compensatory damages in excess of \$1,000,000; punitive damages for each Defendant's wilful, outrageous and malicious conduct to be in excess of \$3,000,000; the costs of his suit and attorney's fees; nominal damages, and such other and further relief as the Court may deem proper.

Count IV, judgment against each Defendant, jointly and severally for compensatory damages in excess of \$1,000,000; punitive damages for each Defendant's wilful, outrageous and malicious abuse of arrest power in excess of \$3,000,000; the costs of his suit and attorneys' fees; nominal damages, and such other and further relief as the Court may deem proper.

VI. Counsel

Do you have an attorney to represent you in this civil action?

No.

A. Have you made any effort to contact a private attorney to determine if he or she would represent you in this civil action?

No

B If you answered yes, state the names and addresses of the attorneys

contracted, and give the results of those efforts.

C. If you answered no, state your reasons why no such efforts have been made.

Plaintiff was driven to the verge of bankruptcy by support orders on three separate occasions: June 1998, May 2001, and February 2005. Since March 2005, Plaintiff has represented himself in court proceedings to limit attorneys' fees.

VII. Administrative Procedures

A. Have the claims which you make in this civil action been presented through any type of Administrative Procedure within any government agency?

Yes

B. If you answered yes, state the date your claims were so presented, how they were presented, and the result of that procedure.

1. On January 23, 2006, Harold-Ray: Stanley petitioned the Missouri Western District [State] Court of Appeals for a remedial writ against the Defendants.
2. On January 24, 2006, the Missouri Western District [State] Court of Appeals denied the petition without a reasoned opinion. (Appendix E: Missouri Court of Appeals, Western District, WD66453 Order)
3. On February 23, 2006, Harold-Ray: Stanley petitioned the Missouri Supreme Court for a remedial writ against the Defendants, restating the arguments presented to the appeals court.
4. On April 11, 2006, the Missouri Supreme Court denied the petition without a reasoned opinion. (Appendix F: Clerk of the Supreme Court SC87524 Order)

5. Plaintiff thereby exhausted all potential State court remedies for the ex parte ultra vires civil rights violation conduct of the Defendants.

C. If you answered no, give the reasons, if any, why the claims made in this action have not been presented through Administrative Procedures.

Signed this 6th day of September, 2006

A handwritten signature in cursive script that reads "Harold-Ray: Stanley". The signature is written in black ink and is positioned above a horizontal line.

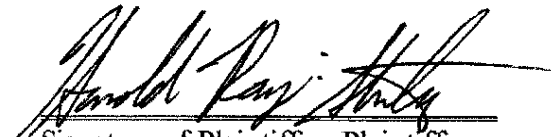
Harold-Ray: Stanley

All rights reserved

VERIFICATION

State of Missouri)
)
County of Cass)

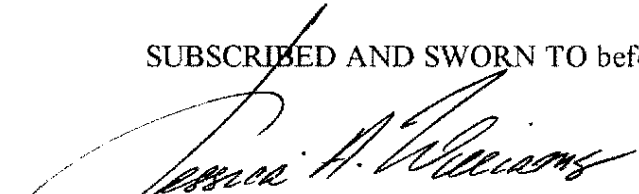
Harold-Ray Stanley, being first duly sworn under oath, presents that he is the plaintiff in this action; that he knows the contents of the complaint; and that the information contained therein is true to the best of his knowledge and belief.



Signature of Plaintiff or Plaintiffs

All parties must verify

SUBSCRIBED AND SWORN TO before me this 6th day of September, 2006


Notary Public

Apr. 13, 2007
My Commission Expires



JESSICA A. WILLIAMS
NOTARY PUBLIC - STATE OF MISSOURI
CASS COUNTY
MY COMMISSION EXPIRES APR 13 2007

INDEX OF EXHIBITS

Appendix A - 24 March 2005 Notice of Filing of Notice of Removal 4 pages

Appendix B – 28 November 2005 Former Husband’s Answer to Application for
Review of Contempt and Answer to Notice of Hearing..... 3 pages

Appendix C – 9 December 2005 Judgment Entry-Review of Contempt, and arrest
order 4 pages

Appendix D – 13 January 2006 Refusal of Order to Show Cause..... 2 pages

Appendix E – 24 January 2006 Missouri Court of Appeals, Western District, WD66453
Order 1 page

Appendix F – 11 April 2006 Clerk of the Supreme Court, SC87524 Order 2 pages

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

In Re Marriage of:

HAROLD STANLEY,
Petitioner

v.

MARCIA E. STANLEY,
Respondent

Civil Case No.

05 - 0281 - CV - W - GAF

Assigned To:

and Third Party Defendants,

The HONORABLE JACK GRATE,
16th Judicial Circuit Court of Jackson County, Missouri,
in his official capacity and,

16th JUDICIAL CIRCUIT COURT of JACKSON COUNTY, MISSOURI and,
The Honorable Jay A. Daugherty, Presiding Judge, in his Official Capacity and,

STEVE RENNE, Acting Director, Missouri Department of Social Services,
in his official capacity , and

MISSOURI DEPARTMENT OF SOCIAL SERVICES

FILED - CIRCUIT COURT
JACKSON CO., MO-1
05 MAR 24 PM 4:06

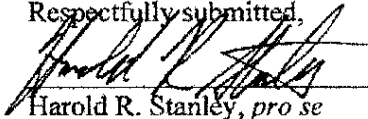
NOTICE OF FILING OF NOTICE OF REMOVAL

On March 24, 2005 HAROLD STANLEY, *pro se*, filed the attached Notice of Removal in the Office of the Clerk of the United States District Court for the Western District of Missouri of his 42 U.S.C. 1983 claim in the Contempt Proceedings In re Marriage of Harold Stanley v. Marcia E. Stanley Case No.: 16D96- 08993-02, -04.

DATED this 24th day of March, 2005.

Appendix A

Respectfully submitted,



Harold R. Stanley, *pro se*

10707 E. 240th Street

Peculiar, MO 64078

Telephone: 816-779-4284

E-mail: hstanley@casstel.net

Appendix A

CIVIL COVER SHEET

OJS 44 (WDMO Rev. 1/05)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS
 STANLEY, HAROLD R.

(b) County of Residence of First Listed Plaintiff Cass County, Missouri

(c) Attorney's (Firm Name, Address, and Telephone Number)
 Pro Se

DEFENDANTS
 STANLEY, MARCIA E., and third party defendants, attached.

County of Residence of First Listed Defendant Jackson County, Missouri

Attorneys (If Known)
 05-0281-CV-W - GAF

(d) Does this case seek a declaration judgment that a Missouri statute, rule or regulation is unconstitutional on its face or seek to enjoin the enforcement of a rule or regulation as to all persons because it is unconstitutional on its face? **Yes**

NOTE: Do not include cases that only allege that the State of Missouri or any of its agencies have acted unconstitutionally or petitions or complaints filed by persons confined in federal, state, county or municipal penal institutions, jail or mental institutions.

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	Incorporated or Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excl. Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury	PERSONAL INJURY 362 Personal Injury - Med. Malpractice 365 Personal Injury - Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability	610 Agriculture 620 Other Food & Drug 625 Drug Related Seizure of Property 21 USC 881 630 Liquor Laws 640 R.R. & Truck 650 Airline Regs. 660 Occupational Safety/Health 690 Other	400 State Reapportionment 410 Arbitration 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 510 Selective Service 550 Securities/Commodities' Exchange 575 Customer Challenge 580 Other Statutory Actions 591 Agricultural Acts 592 Economic Stabilization Act 593 Environmental Matters 594 Energy Allocation Act 595 Freedom of Information Act 600 Appeal of Fed. Under Equal Access to Justice <input checked="" type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	CIVIL RIGHTS 441 Voting 442 Employment 443 Housing/Accommodations 444 Welfare 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 448 Other Civil Rights	PRISONER PETITIONS 510 Motions to Vacate Sentence Habeas Corpus: 530 General 535 Death Penalty 540 Mandamus & Other 550 Civil Rights 555 Prison Condition	LABOR 710 Fair Labor Standards Act 720 Labor/Mgmt. Relations 730 Labor/Mgmt Reporting & Disclosure Act 740 Railway Labor Act 790 Other Labor Litigation 791 Empl. Ret. Inc. Security Act	PROPERTY RIGHTS 820 Copyrights 830 Patent 840 Trademark SOCIAL SECURITY 861 HIA (1395ff) 862 Black Lung (923) 863 DWC/DIWW (405(g)) 864 SSD Title XVI 865 RSI (405(g)) FEDERAL TAX SUITS 870 Taxes (U.S. Plaintiff or Defendant) 871 IRS - Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	3 Remanded from Appellate Court	4 Reinstated or Reopened	5 Transferred from another district (specify)	6 Multidistrict Litigation	7 Appeal to District Judge from Magistrate Judgment
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If this is a removal from state court list the county Jackson and the case number 16DR96-08993-02, -04

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 USC 1983, 28 USC 1446

Brief description of cause:
Constitutional law and civil rights violations promulgated under RSMO 452 and 454.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$** _____

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): **JUDGE** _____ **DOCKET NUMBER** _____

DATE _____ **SIGNATURE OF ATTORNEY OF RECORD** _____

IMPORTANT - The submission of this Civil Cover Sheet does not constitute the filing of your complaint. You MUST electronically file your complaint upon notification from the Clerk's Office.



CIVIL COVER SHEET ATTACHMENT LISTING THIRD PARTY DEFENDANTS:

The HONORABLE JACK GRATE,
16th Judicial Circuit Court of Jackson County, Missouri,
in his official capacity and,

16th JUDICIAL CIRCUIT COURT OF JACKSON COUNTY, MISSOURI and,
The Honorable Jay A. Daugherty, Presiding Judge, in his Official Capacity and,

MISSOURI DEPARTMENT OF SOCIAL SERVICES, and
Steve Renne, Acting Director, in his Official Capacity

Appendix A

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

IN RE THE MARRIAGE OF:)	
HAROLD STANLEY,)	
Petitioner,)	
and)	Case No.: 16DR96-08993-04
)	Division 17
MARCIA STANLEY,)	
Respondent.)	

FILED IN CIRCUIT COURT
 JACKSON COUNTY, MISSOURI
 10/5/06 11:23 AM

Former Husband's Answer to Application for Review of Contempt
and Answer to Notice of Hearing

Comes now the former husband, Harold Stanley, *pro se*, to inform this court it is without jurisdiction to entertain the former wife's Application for Review for Contempt because this action, at the request of the former wife, was dismissed in federal court pursuant to federal district court order dated October 25, 2005. (Attached)

1. On 24 March 2005 the former husband properly removed this action to federal court and noticed all parties and the clerk of this court. (see attached date stamped 24 March 2005 Notice of Filing of Notice of Removal filed with the clerk of this court.)
2. Removal was proper under 28 U.S.C. §§ 1441, 1446 and 1447
3. Pursuant to 28 U.S.C. 1446 (d),

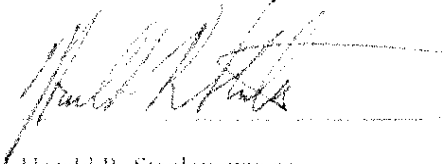
28 U.S.C. 1446 (d) Promptly after the filing of such notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of such State court, which shall effect the removal and the State court shall proceed no further unless and until the case is remanded.

4. The district court has not remanded this action to this court.

Appendix B

5. On July 19, 2005 the former wife, through counsel, moved the district court to dismiss this action. (Attached Motion)
6. On October 25, 2005 the district court dismissed all claims. It did not remand.
7. By action of the former wife, through counsel, this action was reposed
8. The former wife is estopped from any further proceedings as she requested dismissal.
9. The former wife had a choice to move for remand or move for dismissal and chose the latter.
10. The former wife did not avail herself of a procedure to permit this court to reassume jurisdiction therefore she must be estopped from attempting such resumption now.
11. By her own choosing the former wife must now be estopped from attempting to revive a reposed action in this court which lacks jurisdiction. To do otherwise would prejudice the former husband

Respectfully submitted,



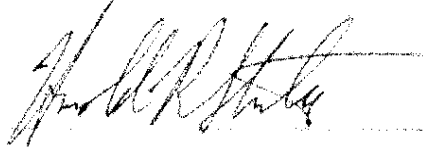
Harold R. Stanley, *pro se*
10707 E. 240th Street
Peculiar, MO 64078
Telephone 816-779-4284
E-mail hstanley@casstel.net

Appendix B

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of November, 2005, I caused a true and accurate copy of the foregoing to be served via U.S. Mail postage prepaid to

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



Harold R. Stanley *pro se*
10707 E. 240th Street
Peculiar, MO 64078
Telephone 816-779-4284
E-mail hstanley@peculiar.net

Appendix B

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

IN RE THE MARRIAGE OF:)

Harold Stanley)
10707 E. 240th Street)
Peculiar, MO 64078)
SS# 492-60-4265)

Petitioner,)

v.)

Case No. 16DR96-8993-02

Marcia Stanley)

Respondent.)

JUDGMENT ENTRY
REVIEW OF CONTEMPT

Now on this 9th day of December, 2005, after the parties were duly notified of a review, at which time appeared Respondent in person and through counsel, Les Wight, and the Petitioner appeared not. The Court heard evidence concerning the payment of monies ordered to be paid by Petitioner to Respondent that were subject of this court's contempt order of July 1, 2004.

After hearing the evidence, the court makes the following findings and orders:

The Petitioner and Respondent received a Dissolution of Marriage from this Court on December 21, 2000.

In said order the Petitioner was ordered to pay Respondent the sum of One Thousand Five Hundred and no/100 Dollars (\$1,500.00) each month beginning January 1, 2001 as and for maintenance.

Petitioner failed to make said maintenance payments as of the time of filing the

Appendix C

application for contempt in the amount of Four Thousand Five Hundred Twenty-Nine and no/100 Dollars (\$4,529.00) and since has made payment of \$2500.00 leaving a balance of \$2029.00 unpaid. Petitioner has ignored previous provisions for payment and the stay of execution ordered in this matter.

Said continued failure or refusal to pay said maintenance is without justification and shows the Petitioner's continued contempt of this Court's Order. Petitioner has filed unnecessary legal actions in Federal Court and has caused Petitioner to incur attorney fees not normally needed in this type of action.

The Court makes further findings consistent with the following orders:

IT IS THEREFORE, ORDERED ADJUDGED AND DECREED, that Petitioner is Remains in contempt of this Court for his willful failure and refusal to pay maintenance to Respondent in the amount totaling Two Thousand Twenty-Nine and no/100 Dollars (\$2,029.00) and that a *capias* shall issue immediately.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent have judgment against Petitioner in the amount of Five Thousand and no/100 Dollars (\$5,000.00) as and for attorney fees and in default thereof, let execution issue therefore.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner shall pay the costs of this action.

Date 12/19/05

Judge Jack Korte

A TRUE COPY OF
CIRCUIT COURT OF JACKSON COUNTY
COURT ADMINISTRATOR
DEPARTMENT OF SOCIAL SERVICES
JACKSONVILLE, FLORIDA

Appendix C

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE**

IN RE THE MARRIAGE OF:

Harold Stanley
10707 E. 240th Street
Peculiar, MO 64078
SS# 492-60-4265

Petitioner,

v.

Case No. 16DR96-8993-02

Marcia Stanley
730 B SE London Way
Lee's Summit, MO 64081
SS# 497-60-7622

Respondent.

**TO THE COURT ADMINISTRATOR
JACKSON COUNTY DEPARTMENT OF CORRECTIONS AND
THE JACKSON COUNTY SHERIFF'S DEPARTMENT**

GREETINGS:

NOW THEREFORE, you are hereby commanded to attach the body of Harold Stanley, born September 27, 1953, Social Security Number 492-60-4265, and have him delivered over into the custody of the Jackson County Department of Corrections and thereafter brought before me to be dealt with according to law or release him only after he has purged himself of his Contempt on this Court upon which this Citation and Order is issued by payment of Two Thousand Twenty-Nine and no/100 Dollars (\$2,029.00) to the Respondent herein.

Appendix C

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this matter is set for March 24, 2006 at 9:00a.m. for review of Petitioner's compliance with this Court's Orders.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner shall pay the costs of this action.

Date 12/9/05

Judge Jack Bosta

Approved as to Form:

CLERK OF COURT
COURT OF COMMON PLEAS
COLUMBIANA COUNTY, OHIO
Clerk

Appendix C

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE**

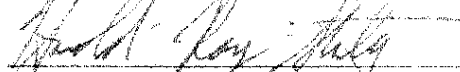
IN RE THE MARRIAGE OF:)	
HAROLD STANLEY,)	
Petitioner,)	
and)	Case No.: 16DR96-08993
)	Division 17
MARCIA STANLEY,)	
Respondent.)	

REFUSAL OF ORDER TO SHOW CAUSE

Comes now the former husband, Harold Stanley, *propria persona*, to inform this court it is without jurisdiction to entertain the former wife's Application for Contempt Citation dated December 13, 2005.

1. Notice of lack of jurisdiction was served November 28, 2005, in the manner prescribed by law, on this court and on the former wife's attorney (Attached)
2. This court subsequently provided no evidence of lawful jurisdiction in this matter
3. Since jurisdiction was not established timely after service of notice, the notice of lack of jurisdiction stands by default.
4. The former wife must now be estopped from attempting to revive a reposed action in this court which lacks jurisdiction.

Respectfully submitted, all rights reserved,



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

Appendix D

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

IN RE THE MARRIAGE OF:

Harold Stanley
10707 E. 240th Street
Peculiar, MO 64078
SS# 492-60-4265

Petitioner,

v.

Marcia Stanley
730 B SE London Way
Lee's Summit, MO 64081
SS# 497-60-7622

Respondent.

Received
JAN 14 2006
1:00 hours CST
c/o 10707 E 240th St

COPY
Circuit Court

Case No. 16DR96-8993 - 0-1

[Handwritten signature]
PROCESSES SERVER

ORDER TO SHOW CAUSE

Upon motion of the Respondent in this cause, and it appearing to the Court that the Petitioner, has willfully and intentionally failed to pay maintenance, pursuant to this court's order, to wit:

IT IS HEREBY ORDERED, that you, Harold R. Stanley, Petitioner herein, appear before the Honorable Jack Grote in Division 19 of the Circuit Court of Jackson County, Missouri, in the Jackson County Courthouse, 308 West Kansas, Independence, Missouri on the 14 day of January, 2006, at 1:00 PM to then and there show cause, if any you have, why you should not and have not paid maintenance, pursuant to Court order in this cause, to wit: failure to pay \$23,000.00 in maintenance to Respondent for the time period through December 2005.

A copy of this order with the Application for Contempt which is attached hereto and incorporated herein shall be served on the Petitioner at least five (5) days prior to the above hearing date.

Jack Grote

JUDGE

1-15-06
Date

Appendix D



MISSOURI COURT OF APPEALS WESTERN DISTRICT

STATE OF MISSOURI, ex rel)
 HAROLD-RAY: STANLEY,)
 Relator,)
 v.)
 THE HONORABLE JACK GRATE,)
 THE HONORABLE JAY DAUGHERTY,)
 LESS WIGHT, Esq.,)
 Respondents.)

WD66453

ORDER

Petition for Writ of Prohibition is in proper form and is hereby denied.

Dated this 24th day of January 2006.


 Ronald R. Holtger
 Presiding Judge - Writ Division

Harold L. Lowenstein, J., concurs.

cc:
 The Honorable Jack Grate
 The Honorable Jay Daugherty,
 Less Wight, Esq.,
 Harold-Ray: Stanley

Appendix E



CLERK OF THE SUPREME COURT

STATE OF MISSOURI
POST OFFICE BOX 150
JEFFERSON CITY, MISSOURI
65102

THOMAS F. SIMON
CLERK

TELEPHONE
(573) 751-4144

April 11, 2006

Mr. Harold-Ray: Stanley
c/o 10707 East 240th Street
Peculiar, Missouri 64078

**In re: State ex rel. Harold-Ray: Stanley, Relator, vs. The Honorable Jack
Grate, Respondent.
Supreme Court No. SC87524**

Dear Mr. Stanley:

This is to advise that the Court this day entered an order in the above-entitled cause, a copy of which is herewith attached.

Very truly yours,

Clerk

Attachment

cc: Mr. Les D. Wight
Honorable Jack Grate

Appendix F

In the Supreme Court of Missouri

January Session: 2006

State ex rel. Harold-Ray Stanley,

Relator,

No. SC87524 **MANDAMUS**

The Honorable Jack Grate,

Respondent.

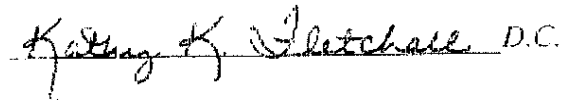
Now at this day, on consideration of the petition for writ of mandamus herein to the said respondent, it is ordered by the Court here that the said petition be, and the same is hereby denied.

STATE OF MISSOURI-Sci.

I, Thomas F. Simon, Clerk of the Supreme Court of the State of Missouri, certify that the foregoing is a full and complete transcript of the judgment of said Supreme Court, entered of record at the January Session thereof, 2006, and on the 11th day of April, 2006, in the above-entitled cause.

WITNESS my hand and the Seal
of the Supreme Court of Missouri,
at my office in the City of Jefferson
this 11th day of April, 2006.

 Clerk

 D.C.

Appendix F