

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
SIXTEENTH JUDICIAL CIRCUIT
AT KANSAS CITY

JOHN DOE I, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 0616-CV-35929
)	
MAJOR JAMES F. KEATHLEY, et al.,)	Division 18
)	
Defendants.)	

PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT

COME NOW Plaintiffs John Doe I-XI, by counsel, and, pursuant to Rule 74.04(a) and (c), move this Court for its Order granting summary judgment in their favor on the three claims for injunctive and declaratory relief presented by Plaintiffs’ Second Amended Petition for Declaratory and Injunctive Relief. Summary judgment accompanied by declaratory and injunctive relief should be granted because Defendants are applying Missouri’s Sexual Offender Registration Act (SORA), MO. REV. STAT. §§ 589.400 to 589.425, also known as “Megan’s Law”, to require Plaintiffs to register because of conduct, convictions, or guilty pleas, that occurred prior to the effective date of SORA or the amendments making certain misdemeanors registrable offenses. Requiring registration of these plaintiffs works a retrospective application of SORA as to them and violates the Missouri Constitution. *Doe v. Phillips*, 194 S.W.3d 833, 852 (Mo. banc 2006)

Attached to this motion is a copy of the Stipulation of Facts entered into by the parties. These facts are offered as Plaintiffs’ Statement of Uncontroverted Material Facts. In

addition, each Plaintiff has filed an Affidavit and those affidavits provide part of the basis for the Stipulation of Facts. A copy of each Doe's Affidavit is also attached hereto. Finally, in support of their motion, Plaintiffs file simultaneously herewith their legal memorandum explaining why summary judgment should be granted. That memorandum is incorporated herein as if set forth in full.

WHEREFORE, for the reasons set forth in Plaintiffs' accompanying memorandum, Plaintiffs pray the Court grants their motion for summary judgment on Counts I-III of their Second Amended Petition for Declaratory and Injunctive Relief.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was served via electronic mail and First Class U.S. Mail, postage prepaid, this _____ day of December, 2007, on counsel listed below:

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