

**IN THE CIRCUIT COURT CITY OF ST. LOUIS
STATE OF MISSOURI**

ROBIN WRIGHT-JONES,

Contestant,

vs.

CONNIE L. JOHNSON,

Contestee, Hold Service

and

ROBIN CARNAHAN, SECRETARY OF
STATE, MISSOURI

Necessary Party.

Serve at: Business Services Division
600 W. Main, Jefferson City, Mo.

Cause No.

0822-CC01491

Division No.

14

RECEIVED
CIRCUIT CLERK'S OFFICE
2008 APR 22 PM 12:10
CLERK

**PETITION TO CHALLENGE QUALIFICATIONS OF CANDIDATE FOR
MISSOURI STATE SENATORIAL 5th DISTRICT AND TO HAVE NAME REMOVED
FROM BALLOT**

COMES NOW "Contestant", Robin Wright-Jones, Democratic Candidate for the Missouri State Senate, 5th District, and for her Petition to Challenge Qualifications of Candidate for Missouri State Senatorial 5th District and to Have Name Removed from Ballot, states as follows:

1. Robin Wright-Jones "Contestant" has duly filed for the Democratic nomination for the office of Missouri State Senate, 5th District in the Secretary of State's office and resides within said district at 2841 Eads Avenue, St. Louis, Missouri 63104.

2. Connie L. Johnson "Contestee" has filed for the same Democratic nomination for the office of Missouri State Senate, 5th District in the Secretary of State's office and claims to reside within said district at 5956 Tara Lane, St. Louis, Missouri 63147.

3. Robin Carnahan is the Secretary of State in Missouri and by virtue of such office has the authority to accept filings for said candidates for the office of Missouri State Senate and the duty to certify the list of candidates to election authorities to be voted for at the primary election. In addition, the secretary of state shall also include the order in which the candidates for each office are to be listed on the official ballot. As such, the Secretary of State is a necessary and proper party for this Honorable Court to order, if it so finds, not to certify Contestee's name on said list of candidates to be voted for at the primary election and for printing by election authorities on the official ballot and therefore, ordering that said candidate's name not be printed on the official ballot.

4. Contestant has reason to believe that Contestee does not reside at said Tara address, but rather resides at 5848 Maple Avenue, St. Louis, Missouri which is outside the 5th District.

5. As such, Contestee does not meet the residence qualification to be a candidate for said office.

6. In support of Contestant's claim, Contestant will prove the following points:

a. Contestee is the sole owner of the residence at 5969 Tara Lane, St. Louis, Missouri 63147.

b. That in October 2007, Contestee, leased the residence at 5969 Tara Lane, St. Louis, Missouri 63147 to William Keys and Michelle Hayes for a term of one year.

c. That the tenants failed to pay their rent and thereafter, there was a lawsuit filed for such, as well as possession of said premises.

d. Contestee, as attorney of record for Sampson Holdings, Inc., filed a Petition for Rent and Possession for unpaid rent, damage and restitution of the premises at 5969 Tara

Lane, St. Louis, MO, 63147 in the City of St. Louis, Cause No. 0822-AC02352, Division 27. Attached to said Petition is a document Affidavit and Statement in Landlord Case in which Connie L. Johnson, affiant, signed her name and gave her address as being 5848 Maple, St. Louis, Missouri, 63112, said signature being subscribed and sworn before a Notary Public. Further, in the Exccution/Garnishment/Sequestration Application and Order signed by Contestee on March 17, 2008, Contestee lists her address as 5848 Maple Ave., St. Louis, Mo. 63112.

e. Contestee purchased and relocated to a residence at 5848 Maple in October 2007, which is outside said district.

f. Contestee secured utility services (gas, water, electricity) for said Maple address on or about the same date as service.

g. Contestee is the general warranty deed holder of said Maple address.

h. Contestee was not the Ameren UE named account holder for the Tara Lane residence from August 2007 to November 2007, said account being in the name of William Keys.

i. An investigation of the Tara Lane residence on April 7, 2008, by election officials showed said residence to be sparsely furnished, with an electric meter running at a very slow pace, and with no one at home.

j. Contestee has stated to election board officials that her lease arrangement with her tenants provided for her to be able to occupy a portion of the Tara residence even though no lease was produced containing no said language.

k. Contestee stated to election officials that Sampson Holdings, Inc. was formed for "the acquisition of commercial or residential property for sale or lease." Consistent

with the aforementioned lawsuit, Contestee has transferred her interest in said Tara address for lease or sale to said corporation. Such transfer is inconsistent with her stated intention to reside there.

l. Contestee wrote a letter to her tenant Keys suggesting that her residing at said Tara address would be at most one day a week.....on the weekends...not even then."

m. Said Tara property was put on the market for sale in August 2007, giving further credence to the point that Contestee had plans to move to said Maple residence, which she purchased in October 2007.

n. Keys has further stated that Contestee had not occupied even one night at Tara Lane while he was residing there.

o. In addition, Contestee continued to receive some mail at the Tara residence, Keys regularly collected her mail and delivered it to her residence on Maple.

p. Contestant contends that Contestee's actions do not reflect an intention to reside at the Tara residence.

r. The investigation conducted by the City of St. Louis Board of Election Commissioners, dated April 14, 2008, concluded that "public trust" was at stake. The report urged that there be further objective proof produced to completely counter Contestee's stated assertion that she maintained a physical presence and residence at 5969 Tara and continues to do so today.

WHEREFORE, Contestant prays that this Honorable Court to set this matter for hearing so that she may have leave to produce proof of Contestee's failure to meet the residency requirements of a candidate for the office of Missouri State Senate, 5th District, to have this Honorable Court thereafter determine that Contestee is not qualified to be a candidate for the office of Missouri State Senate, 5th District, due to her lack of residency in said district, order the Secretary of State to delete Contestee's name from the certified list of those candidates who have filed a declaration of candidacy with her office for the office of Missouri State Senate, 5th District, to be voted on in the primary election and further to notify the election authority, the St. Louis City Board of Election Commissioners not to print her name on the ballot, order Contestee to pay attorney's fees to Contestant for having to bring this action and for such other relief that this Honorable Court may deem just under all the circumstances.

PAULE, CAMAZINE & BLUMENTHAL
A Professional Corporation

By: 

Susan E. Block, MBE #25175
Attorneys for Contestant
165 N. Meramec Ave., - 6th Floor
St. Louis, MO 63105
Telephone: (314) 727-2266
Facsimile: (314) 727-2101
sblock@pcblawfirm.com