

**IN THE CIRCUIT COURT OF ST LOUIS CITY
 TWENTY-SECOND JUDICIAL CIRCUIT
 STATE OF MISSOURI**

JOHN THOMAS,

Plaintiff,

v.

ST. LOUIS METROPOLITAN POLICE DEPARTMENT,

Serve: Chief Robert J. Tracy
 St. Louis Metropolitan Police Dept.
 1915 Olive Street
 St. Louis, MO 63103

and

BARBARA MANUEL, IN HER OFFICIAL CAPACITY
 AS CUSTODIAN OF RECORDS FOR THE ST.
 LOUIS METROPOLITAN POLICE DEPARTMENT,

Serve: Barbara Manuel,
 Custodian of Records
 St. Louis Metropolitan Police Dept.
 1915 Olive Street, Room 562
 St. Louis, MO 63103

and

ST. LOUIS BOARD OF POLICE COMMISSIONERS
 and BRAD AREAGA, DON BROWN, SONYA
 JENKINS-GRAY, EDWARD McVEY, CHRIS
 SARACINO, and CARA SPENCER in their
 official capacities as members of the St.
 Louis Board of Police Commissioners,

Serve: St. Louis Metropolitan Police Dept.
 1915 Olive Street
 St. Louis, MO 63103

Defendants.

Case No. _____

PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF

INTRODUCTION

This case involves a request the Plaintiff, John Thomas, made for public records held by the St. Louis Metropolitan Police Department (“the Department”). The records Thomas requested were related to an incident that occurred on April 26, 2026, concerning his property at 2609 Lemp Avenue in St. Louis City. Under section 610.100.4, RSMo., the Department was required within thirty days either to produce the records Thomas requested or to file a motion in this Court seeking permission to redact or withhold a portion of those records. The Department was fully aware of its obligation to comply with section 610.100.4 within thirty days of receiving such a request, as it previously was the subject of a consent judgment Judge Michael Stelzer signed on July 22, 2019 involving this very issue. *See In re Sunshine Request Involving Joseph Finger on October 24, 2017*, Case No. 1822-CC11513. As of May 29, 2026—thirty days after receiving Thomas’s request—the Department had neither produced the requested records nor filed a motion seeking permission to redact or withhold a portion of the requested records. Consequently, the Department has knowingly and/or purposefully violated the Sunshine Law.

THE SUNSHINE LAW

1. Chapter 610, RSMo., contains statutes requiring—with a few specified limitations—that the meetings, records, and votes of all public bodies must be open to the public; this set of statutes is commonly referred to as the “Sunshine Law.”
2. Section 610.010(4), RSMo.,¹ in relevant part, defines “public governmental body” as “any legislative, administrative, or governmental entity created by the Constitution or statutes of this state[.]”

¹ Unless otherwise noted, all statutory citations refer to the version of the Missouri Revised Statutes in effect on the date the Plaintiff initiated this litigation.

3. Section 610.010(6) defines “[p]ublic record” as “any record, whether written or electronically stored, retained by or of any public governmental body[.]”
4. Section 610.011 declares:
 1. It is the public policy of this state that meetings, records, votes, actions, and deliberations of public governmental bodies be open to the public unless otherwise provided by law. *Sections 610.010 to 610.200 shall be liberally construed and their exceptions strictly construed to promote this public policy.* (Emphasis added).
 2. Except as otherwise provided by law, all public meetings of public governmental bodies shall be open to the public as set forth in section 610.020, all public records of public governmental bodies shall be open to the public for inspection and copying as set forth in sections 610.023 to 610.026, and all public votes of public governmental bodies shall be recorded as set forth in section 610.015.
5. Simply put, transparency is the rule for public entities in Missouri. The only permissible exceptions are those established by statute, and courts are instructed to construe those exceptions strictly in order to preserve the rule of transparency.
6. Section 610.023.2 requires each public governmental body to make its public records available to the public for inspection and copying.
7. Section 610.023.3 states that if a custodian of records does not grant the requestor access to a requested public record “immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection.”
8. Section 610.027.1 states that “[a]ny aggrieved person, taxpayer to, or citizen of, this state ... may seek judicial enforcement of the requirements of sections 610.010 to 610.026.”
9. Section 610.027.2 states that once a party bringing suit under the Sunshine Law has demonstrated to the court “that the body in question is subject to the requirements of sections 610.010 to 610.026 and has held a closed meeting, record or vote, *the burden of*

persuasion will be on the body and its members to demonstrate compliance” with the Sunshine Law. (Emphasis added).

10. Section 610.027.3 states:

Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has knowingly violated sections 610.010 to 610.026, the public governmental body or the member shall be subject to a civil penalty in an amount of up to one thousand dollars. If the court finds that there is a knowing violation of sections 610.010 to 610.026, the court may order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing a violation. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.

11. Section 610.100 contains a number of subsections that govern citizens’ access to specific types of records retained by law enforcement agencies.

12. Section 610.100.2(1) requires each law enforcement agency of any county to “maintain records of all incidents reported to the agency, investigations and arrests made by such law enforcement agency.”

13. Although § 610.100 allows for (or requires) closure of certain types of records, § 610.100.4 states that any person “involved in any incident or whose property is involved in an incident, may obtain *any records closed pursuant to this section or section 610.150* for purposes of investigation of any civil claim or defense, as provided by this subsection.” (Emphasis added).

14. Section 610.100.4 further clarifies that if such a person requests it, they are entitled to “a complete unaltered and unedited incident report concerning the incident, *and may obtain access to other records closed by a law enforcement agency pursuant to this section.*” (Emphasis added).

15. The language of 610.100.4 establishes that, even if a law enforcement agency might be justified in redacting certain information from an incident report where it has been requested by a person who was *not* involved in that incident,² the law enforcement agency has no authority to redact or otherwise to alter or edit a copy of an incident report before producing it to a person who *was* involved in that incident.
16. The only exception to the broad access this subsection gives to persons “involved in any incident or whose property is involved in an incident” is that the law enforcement agency may—within thirty days of receiving a request for records under 610.100.4—file a motion with the circuit court having jurisdiction over the agency “stating that the safety of the victim, witness or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized;” if the circuit court agrees with the law enforcement agency’s assertions, the court is empowered to “either order the record closed or order such portion of the record that should be closed to be redacted from any record made available pursuant to this subsection.”
17. Section 610.100.6 authorizes persons to apply to the appropriate circuit court for an order requiring a law enforcement agency to produce incident reports and arrest reports that have been unlawfully withheld.
18. If the court determines that a law enforcement officer or agency knowingly violated the law by withholding records, “the officer or agency shall be subject to a civil penalty in an amount up to one thousand dollars” and “the court shall order payment by such officer or

² See *State ex rel. Goodman v. St. Louis Bd. of Police Comm’rs*, 181 S.W.3d 156 (Mo. App. E.D. 2005) (allowing law enforcement agency to redact certain information before producing incident reports in response to citizen request).

agency of all costs and attorneys' fees, as provided by section 610.027.” § 610.100.6, RSMo.

19. If the court determines that a law enforcement officer or agency purposefully violated the law by withholding records, “the officer or agency shall be subject to a civil penalty in an amount up to five thousand dollars and the court shall order payment by such officer or agency of all costs and attorney fees, as provided in section 610.027.” *Id.*

PARTIES

20. Plaintiff John Thomas owns property located at 2609 Lemp Avenue, Unit B, St. Louis, Missouri 63118 (“the Property”). He alleges that the Defendants violated the Sunshine Law in regard to a request he submitted on April 28, 2026 for records related to an incident involving this property that took place on April 26, 2026. He is a person whose property was “involved in an incident” within the meaning of section 610.100.4.
21. Defendant St. Louis Metropolitan Police Department (“the Department”) is a governmental entity created under the authority of Chapter 84 of the Missouri Revised Statutes and it is also a department or division of the City of St. Louis, a municipal government and political subdivision of the state; as such, the Department is a public governmental body subject to the requirements of the Sunshine Law. § 610.010(4).
22. Defendant Barbara Manuel is the Custodian of Records for the Department. As such she is responsible for receiving public records requests directed to the Department and, if she does not immediately grant the requestor access to the requested records, for providing “a detailed explanation of the cause for further delay and the place and earliest time and date that the record[s] will be available for inspection.” § 610.023.3. On information and belief, Ms. Manuel has served as Sunshine Law Coordinator for the Department for at least thirty-

five years. On information and belief, Ms. Manuel holds a license or certificate from the State of Missouri in “Missouri Sunshine Act for Police Records.”

23. Defendant St. Louis Board of Police Commissioners (“the Board”) is a governmental entity created under the authority of Chapter 84 of the Missouri Revised Statutes; as such, the Department is a public governmental body subject to the requirements of the Sunshine Law. § 610.010(4).
24. Brad Artega is a current member of the Board; he is sued in his official capacity as a member of the Board.
25. Don Brown is a current member of the Board; he is sued in his official capacity as a member of the Board.
26. Sonya Jenkins-Gray is a current member of the Board; she is sued in her official capacity as a member of the Board.
27. Edward McVey is a current member of the Board; he is sued in his official capacity as a member of the Board.
28. Chris Saracino is a current member of the Board; he is sued in his official capacity as a member of the Board.
29. Cara Spencer is a current *ex officio* member of the Board; she is sued in her official capacity as a member of the Board.

JURISDICTION AND VENUE

21. The Plaintiff brings this action pursuant to Chapter 610 of the Missouri Revised Statutes.
22. The Plaintiff is authorized to bring this action pursuant to section 610.027 and section 610.100 because he is a person whose property was involved in an incident that was reported to the Department and he requested copies of records retained by the Department

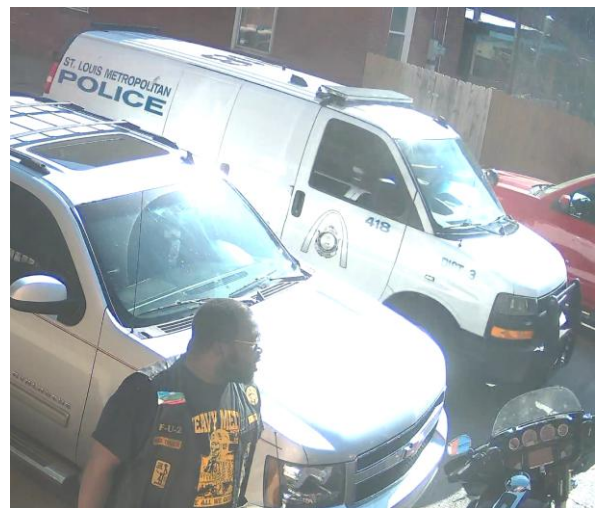
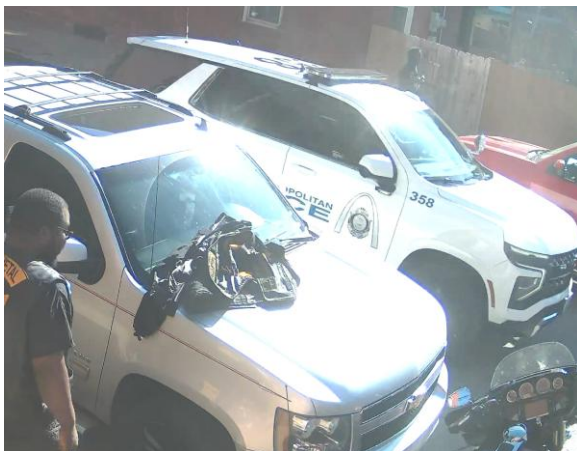
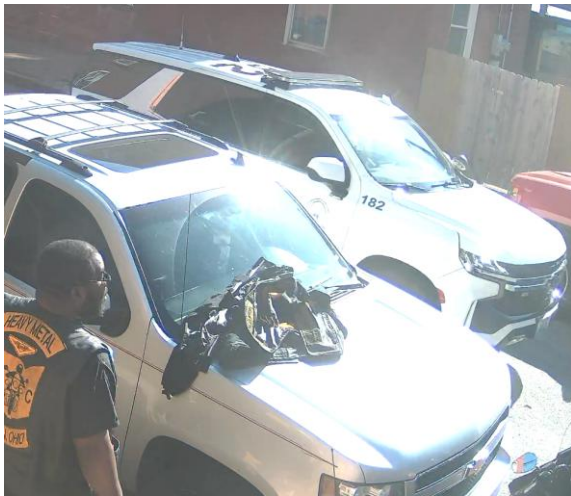
for purposes of investigating civil claims or defenses related to those incidents; he alleges that the Defendants did not comply with the Sunshine Law in responding to his request.

23. Venue for this action is proper in St. Louis City Circuit Court pursuant to sections 610.027 and 610.100 because the Defendants' principal place of business is in St. Louis City and this Court has jurisdiction over the Defendants.
24. Venue for this action is also proper in St. Louis City Circuit Court pursuant to section 84.095, which requires causes of action against the Board to be commenced in the circuit court of the City of St. Louis.
25. Section 610.030, RSMo., authorizes this Court to issue injunctions to enforce the provisions of the Sunshine Law.

FACTS

30. The Plaintiff owns the Property and rents it out to guests on a short-term basis.
31. On the morning of April 26, 2026, the Plaintiff was renting the Property to several guests who were visiting from out of state.
32. Upon information and belief, on the morning of April 26, 2026, the Department received a call in which a person made a complaint about Plaintiff's Property.
33. Upon information and belief, the caller alleged that the Property was condemned, but that people were still living in it. The allegation that the Property was condemned was false.
34. Although the caller's complaint was false, the call and the allegations made therein constitute an "incident" involving the Property within the meaning of § 610.100. Thomas henceforth will refer to both the initial call and the Department's response to it as "the Incident."

35. Upon information and belief, at least one law enforcement officer employed by the Department inquired into the Incident.
36. Upon information and belief, at least one police officer checked Department records to discern whether the Property was condemned.
37. Upon information and belief, this inquiry revealed no evidence that the Property was condemned.
38. Nevertheless, after the Department received the phone call about the Property at least four different Department vehicles cruised past the Property within the space of just a few minutes. These are pictures of each of those vehicles, as shown by Thomas's own surveillance camera:



39. Two of those Department vehicles stopped and, upon information and belief, at least two Department officers approached Mr. Thomas's guests to question them.
40. After a few minutes of conversation, the officers departed with no action taken against the guests. But, understandably, the guests were unnerved. Mr. Thomas was also concerned about the incident.
41. On April 28, 2026, Thomas submitted to Manuel and the Department a request for public records related to the Incident ("the Request"). A true and accurate copy of the Request is attached as Plaintiff's Exhibit 1.
42. Thomas first submitted the Request via email sent to sunshinelawrequests@slmpd.org and also attorney Jason Rugo at jrugeo@rugolaw.com.
43. Upon receiving an automated response stating that the sunshinelawrequests@slmpd.org address was not monitored and asking him to submit his request through the Department's online Public Records Portal, Thomas submitted his request through the Public Records Portal on April 29, 2026.



St. Louis Metropolitan Police Department

COLONEL ROBERT J. TRACY | POLICE COMMISSIONER

Public Records Menu

- Home
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Sunshine Law Unit

The Sunshine Law Unit oversees compliance on all types of public record requests and works with various departments to ensure all requests are processed in accordance with department

View File(s)

View Message(s)

Request Type:	SLMPD - Public Records Request
Contact E-Mail:	onlinepostings99@gmail.com
Reference No:	P011674-042926
Status:	Assigned
Balance Due:	\$0.00
Payments:	\$0.00

UPLOAD DATE

Files:

04/29/2026

SLMPD_Sunshine_Law_Request_4-26-2026.pdf

DOWNLOAD ALL

Type of Records:
 Other Police Record

44. The Request stated that it was being submitted pursuant to several parts of the Sunshine Law, including sections 610.011, 610.022, 610.023, 610.024, 610.026, 610.100, 610.150, and 610.200. It further specified that Thomas was making the request pursuant to section 610.100.4 for the purpose of investigating possible civil claims or defenses.
45. The Request specified the date, time, and location of the Incident and twenty different types of information or records that Thomas believed the Department might maintain in relation to the Incident, asking the Department to search for and produce the records as required by the Sunshine Law.
46. The Request noted the statutory deadlines for responding to his request under section 610.023.3 (“as soon as possible, but in no event later than the end of the third business day” following the custodian’s receipt of the request), and also for producing the records he requested pursuant to section 610.100.4 (“[w]ithin thirty days of such request, the agency shall provide the requested material” or seek leave of court to close or redact part of the requested material). The Request also noted the penalties the Sunshine Law affords for knowing and/or purposeful violations of the Sunshine Law’s requirements under sections 610.027 and 610.100.6.
47. Upon information and belief, Manuel and/or another person acting as the Department’s Custodian of Records received the Request on or around April 29, 2026.
48. The Defendants did not respond at all to the Request until July 6, 2026—sixty-eight days after Thomas had submitted it—when Manuel sent a message asking for clarification regarding only *one* of the twenty categories of records included in the Request.
49. As of August 17, 2026, Manuel and the Department had not produced any records responsive to the Request, nor had they communicated to Thomas any explanation for their

delay or the place and earliest time and date the records would be made available for inspection.

50. On that date, an attorney representing Thomas sent Manuel a letter (“the Violation Notice”) notifying Manuel and the Department that they had violated the Sunshine Law regarding the Request. A true and accurate copy of the Violation Notice is attached as Plaintiff’s Exhibit 2.
51. The Violation Notice identified three specific ways in which the Department had failed to comply with the Sunshine Law’s requirements: (1) it violated § 610.023.3 by failing to respond to Mr. Thomas’s request by the end of the third business day after he submitted it; (2) it violated the same section by, having not “immediately” granted Mr. Thomas access to the records he requested, failing to provide him with “a detailed explanation of the cause for further delay and the place and earliest time and date” the Department would make the records available to him; and (3) it violated § 610.100.4 by failing “within thirty days” either to produce the materials Thomas requested or to file a motion with a court seeking permission to close or redact those materials.
52. Manuel responded to the Violation Notice the following day, stating that she was gathering records, that it was taking longer than usual due to “staffing issues,” and stating that she would send Thomas an invoice that same day.
53. That afternoon, Manuel sent Thomas an invoice for \$183.77. A true and accurate copy of this invoice is attached as Plaintiff’s Exhibit 3.
54. Thomas swiftly paid this invoice, although in doing so he included a letter dated August 21, 2026, (“the Protest Letter”) that noted he was making the payment under protest. A true and accurate copy of the Protest Letter is attached as Plaintiff’s Exhibit 4.

55. Specifically, the Protest Letter pointed out that, under section 610.100.4, the Department was required to produce the requested records within thirty days. Because the Department had neither requested payment nor complied with the requirement to produce the requested records within that thirty-day period, the Protest Letter contended that the Sunshine Law did not allow the Department belatedly to demand payment as a prerequisite for producing records it was obliged by statute to produce.
56. On August 28, 2026, Manuel sent Thomas an email confirming receipt of his payment. The email stated that Thomas would be notified when the records were available, but it did not provide the earliest date and time the records would be available for inspection.
57. On Monday, August 31, 2026, Thomas sent a message to Manuel noting that she still had not notified him of the earliest date and time the records would be available for inspection.
58. On September 2, 2026—more than four months after Thomas first submitted his request, which included both a demand for a detailed explanation of any delay and a request for the earliest date and time the records would be made available for inspection—Manuel finally provided an explanation of the reason for the delay in fulfilling the Request. That message did not, however, identify the earliest date and time the records would be available for inspection.
59. On September 10, 2026, Thomas once again asked Manuel on what date the requested records would be produced.
60. On September 14, 2026, Manuel notified Thomas that some—not all—of the responsive records had been made available to him. This message did not notify Thomas of the earliest date and time the remaining records would be made available to him.

61. As of the date of the filing of this lawsuit, the Request remains open and incomplete. Defendants still have not provided Plaintiff all of the records responsive to the Request and they have not indicated the earliest date and time any of the remaining records will be made available to him.

CLAIMS FOR RELIEF

COUNT I

**Violation of § 610.023.3;
Failure to act on the Request within three days.**

62. Thomas incorporates by reference the allegations made in each preceding paragraph as if each allegation was set forth herein.
63. When someone requests records from a public governmental body under the Sunshine Law, the public governmental body is required to act upon that request within three business days. *Gross v. Schmitt*, 709 S.W.3d 347, 359 (Mo. App. W.D. 2025).
64. The Defendants received the Request on or around April 29, 2026.
65. May 4, 2026, was the third business day following the Defendant's receipt of the Request.
66. The Defendants did not contact Thomas regarding the Request by the end of May 4, 2026.
67. The Defendants did not respond to the Request within three business days of receiving it.
68. The Defendants' failure to respond to the Request within three business days of receiving it violated section 610.023.3.

WHEREFORE, the Plaintiff respectfully asks the Court to:

- a. Enter a declaratory judgment finding that both Manuel and the Department violated § 610.023.3 by failing to act upon the Request within three business days of receiving it;
- b. Award such other and additional relief as the Court deems just and appropriate.

COUNT II

Violation of § 610.023.3;

Failure to provide the place and earliest date and time records will be made available.

69. Thomas incorporates by reference the allegations made in each preceding paragraph as if each allegation was set forth herein.
70. The Sunshine Law states that if a public governmental body does not immediately grant access to requested public records, “the custodian shall give... the place and earliest time and date that the record[s] will be available for inspection.” § 610.023.3, RSMo.
71. The Defendants did not immediately grant Thomas access to the public records responsive to the Request.
72. Manuel, the Department’s Custodian of Records, did not identify for Thomas the place and earliest date and time the requested records would be made available.
73. The Defendants’ failure to identify for Thomas the place and earliest date and time the requested records would be made available violated section 610.023.3

WHEREFORE, the Plaintiff respectfully asks the Court to:

- a. Enter a declaratory judgment finding that both Manuel and the Department violated § 610.023.3 by failing to provide Thomas the place and earliest date and time the records he had requested would be made available; and
- b. Award such other and additional relief as the Court deems just and appropriate.

COUNT III

Violation of § 610.100.4;

Failure to produce requested materials or to seek judicial permission to redact or withhold those materials within thirty days.

74. Thomas incorporates by reference the allegations made in each preceding paragraph as if each allegation was set forth herein.

75. Where a person has invoked their right to receive records pursuant to § 610.100.4, the statute requires the relevant law enforcement agency “[w]ithin thirty days of such request” to either “provide the requested material or file a motion pursuant to this subsection with the circuit court having jurisdiction over the law enforcement agency stating that the safety of the victim, witness or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized.”
76. Thomas submitted the Request to the Defendants on April 29, 2026.
77. The Request invoked Thomas’s right to receive records pursuant to § 610.100.4.
78. May 29, 2026, was the thirtieth day after Thomas submitted the Request to the Defendants.
79. As of May 29, 2026, the Defendants had neither produced to Thomas the materials responsive to the Request nor had Defendants filed a motion with this Court stating that the safety of the victim, witness, or other individual could not reasonably be ensured or that a criminal investigation was likely to be jeopardized by providing Thomas with the requested materials.
80. As of the date this lawsuit was filed, the Defendants still have not produced to Thomas all of the materials responsive to the Request.
81. The Defendants’ failure within thirty days of receiving the Request to either produce all materials responsive to the Request or to file a motion with this Court seeking permission to redact or withhold part of the requested materials violated section 610.100.4

WHEREFORE, the Plaintiff respectfully asks the Court to:

- a. Enter a declaratory judgment finding that both Manuel and the Department violated § 610.100.4 by failing within thirty days of receiving the Request to either produce to Thomas the materials responsive to the Request or to file a motion with this Court stating

that the safety of the victim, witness, or other individual could not reasonably be ensured or that a criminal investigation was likely to be jeopardized by providing Thomas with the requested materials;

- b. Enter a permanent injunction against Manuel and the Department requiring them immediately to produce to Thomas all materials responsive to the Request; and
- c. Award such other and additional relief as the Court deems just and appropriate.

COUNT IV

Violation of § 610.100.4; Impermissibly conditioning the production of requested materials on the payment of fees.

- 82. Thomas incorporates by reference the allegations made in each preceding paragraph as if each allegation was set forth herein.
- 83. On August 18, 2026, Manuel sent Thomas a message that included an invoice for \$183.77. A true and accurate copy of this August 18, 2026 message is attached as Plaintiff's Exhibit 5.
- 84. Manuel's message gave instructions for paying the invoice, then stated "Processing of this request will resume once payment is received. If payment is not received within 90 days, this request will be considered withdrawn and closed."
- 85. Manuel's message indicated that the Department was conditioning the fulfillment of the Request on Thomas's payment of \$183.77.
- 86. Nothing in § 610.100.4 authorizes a law enforcement agency to charge fees associated with producing materials that a person whose property has been involved in an incident requests pursuant to that subsection.

87. Nothing in § 610.100.4 authorizes a law enforcement agency to condition production of materials requested pursuant to that subsection on the requestor's willingness or ability to pay fees.
88. Thomas paid the invoice, although he indicated both on his check and in the Protest Letter that he was making the payment under protest and that he did not concede that the charge was lawful.
89. The Defendants violated section 610.100.4 by conditioning the production of materials responsive to the Request on the payment of fees that are not authorized by that subsection.

WHEREFORE, the Plaintiff respectfully asks the Court to:

- a. Enter a declaratory judgment finding that both Manuel and the Department violated § 610.100.4 by conditioning the production of materials responsive to the Request on the payment of fees that are not authorized by that subsection;
- b. Enter a permanent injunction requiring the Defendants to repay Thomas the \$183.77 he paid under protest; and
- c. Award such other and additional relief as the Court deems just and appropriate.

COUNT V

Each of the violations of the Sunshine Law identified in Counts I-III were knowing and/or purposeful.

90. Thomas incorporates by reference the allegations made in each preceding paragraph as if each allegation was set forth herein.
91. To establish a "knowing" violation of the Sunshine Law, a plaintiff only needs to show by a preponderance of the evidence that the defendant had actual knowledge that the conduct at issue would violate the Sunshine Law. *See Strake v. Robinwood W. Cmty. Improvement Dist.*, 473 S.W.3d 642, 645 (Mo. banc 2015).

92. To establish a “purposeful” violation of the Sunshine Law, a plaintiff must show by a preponderance of the evidence that the defendant manifested “a conscious design, intent, or plan to violate the law and [that they did] so with awareness of the probable consequences.” *Id.* (cleaned up) (finding purposeful violation even where attorney had advised public governmental body that they need not produce certain records).
93. The Missouri Court of Appeals has noted that a public official would commit a purposeful violation of the Sunshine Law if they “forestall[ed] production of public records until the requester sues[.]” *Buckner v. Burnett*, 908 S.W.2d 908, 911 (Mo. App. W.D. 1995).
94. At all times relevant to this lawsuit, Manuel and the Department were aware that the Department was obliged to comply with the Sunshine Law’s requirements.
95. It has been firmly established for more than twenty years that the SLMPD and the Board of Police Commissioners are public governmental bodies obliged to comply with the Sunshine Law. *See State ex rel. Goodman v. St. Louis Bd. of Police Comm’rs*, 181 S.W.3d 156, 159 (Mo. App. E.D. 2005) (“[I]t is undisputed that the Board and the Police Department are public governmental bodies.”).
96. The SLMPD is also aware of its obligations under the Sunshine Law, as well as the likely consequences for such a violation, having previously been found on multiple occasions to have committed knowing or purposeful violations of the Sunshine Law. *See, e.g., St. Louis Post-Dispatch v. SLMPD*, St. Louis City Circuit Court Case No. 2422-CC00778, May 14, 2026 Order and Judgment (finding SLMPD purposefully violated Sunshine Law); *Farber v. Metro. Police Dep’t of St. Louis*, 558 S.W.3d 70, 72 (Mo. App. E.D. 2018) (affirming judgment finding knowing violation of Sunshine Law); *Chasnoff v. Mokwa*, 466 S.W.3d 571, 584 (Mo. App. E.D. 2015) (affirming judgment finding knowing violation of

Sunshine Law and award of \$100,000 in attorney fees).

97. Specifically, in regard to its obligations under § 610.100.4, the Police Department was also involved in *In re: Sunshine Request Involving Joseph Finger on October 24, 2017*, St. Louis City Circuit Court Case No. 1822-CC11513, in which it belatedly filed a motion pursuant to § 610.100.4 and ultimately agreed to the entry of a consent judgment stating that it had “failed to timely act on [the Respondent’s] Request as required under Section 610.100.4, RSMo.,” that it “failed to act within 30 days to file its Motion to Close,” and that “it violated the Sunshine Law by failing to act within thirty days of [the Respondent’s] request.” A true and accurate copy of this Consent Judgment is attached as Plaintiff’s Exhibit 6.
98. Additionally, the Department provides citizens instructions as to how to submit a request under section 610.100.4 (“the 610.100.4 Instructions”), which asks requestors to submit their request “via the SLMPD Public Records Portal,” suggesting that doing so will “result in faster service.” A true and accurate copy of the Department’s Attorney and Insurance Company Instructions for Sunshine Law Requests under 610.100.4 is attached as Plaintiff’s Exhibit 7.
99. Thomas complied with the 610.100.4 Instructions by submitting his request via the Department’s Public Records Portal, yet the Defendants still did not comply with the statute expressly acknowledged in those Instructions.
100. In the months after he submitted the Request, Thomas repeatedly and specifically asked Manuel to provide the earliest time and date the requested records would be made available to him—information Manuel was expressly required to provide to him. § 610.023.3.

101. Furthermore, Thomas's attorney sent the Defendants the Violation Notice, which clearly stated not only the Sunshine Law's requirements in regard to the Request, it also identified the likely consequences of violating those requirements.
102. The Defendants had actual knowledge that failing to respond to the Request by the end of the third business day following the date the Custodian of Records received the Request would violate § 610.023.3.
103. The Defendants had actual knowledge that failing to notify Thomas of the earliest time and date the requested records would be made available for inspection would violate § 610.023.3.
104. The Defendants³ had actual knowledge that § 610.100.4 required them within thirty days of receiving the Request either to produce the materials responsive to the Request or to file a motion with this Court seeking permission to redact or withhold part of those materials, and that failure to do either of these things would violate § 610.100.4.
105. Based on the foregoing, and in light of prior judgments establishing that the Department had knowingly or purposefully violated the Sunshine Law, the Defendants were aware of the consequences of failing to comply with the Sunshine Law's requirements.
106. The Defendants' failure to comply with the requirements of sections 610.023.3 and 610.100.4 despite *repeated* reminders of what those statutes required and also reminders as to the probable consequences of failing to comply with those requirements demonstrates that these violations were purposeful within the meaning of sections 610.027.4 and 610.100.6.

³ In light of Manuel's decades-long service as Custodian of Records for the Department, Thomas asks the Court specifically to find Manuel—not just the Department—liable for the alleged knowing and/or purposeful Sunshine Law violations in her official capacity as the Department's Custodian of Records.

107. Thus, each of the Sunshine Law violations alleged in Counts I-III of this Petition were either knowing or purposeful.

WHEREFORE, the Plaintiff respectfully asks the Court to:

- a) Enter a declaratory judgment finding that
 - 1) The Defendants' violation of the Sunshine Law described in Count I was knowing and/or purposeful;
 - 2) The Defendants' violation of the Sunshine Law described in Count II was knowing and/or purposeful;
 - 3) The Defendants' violation of the Sunshine Law described in Count III was knowing and/or purposeful;
- b) Award Thomas appropriate civil penalties in light of his demonstration that the Defendants committed these knowing and/or purposeful violations of the Sunshine Law;
- c) Award Thomas his reasonable costs and attorney fees associated with proving these knowing and/or purposeful violations of the Sunshine Law; and
- d) Grant the Plaintiff such other relief as this court deems just and proper under the circumstances.

Respectfully submitted,



David Roland #60548
GOLDWATER INSTITUTE
500 East Coronado Road
Phoenix, Arizona 85004
Phone: (602) 462-5000

Attorney for Plaintiff

PETITION EXHIBIT 1

April 28, 2026

VIA EMAIL AND U.S. MAIL

Barbara Manuel-Crossman
Custodian of Records / Sunshine Law Unit
St. Louis Metropolitan Police Department
1915 Olive Street
St. Louis, Missouri 63103
Email: sunshinelawrequests@slmpd.org

Re: Missouri Sunshine Law Request — Records Concerning Call for Service / Police Response at 2609 Lemp Avenue, Unit B, on Sunday, April 26, 2026

Dear Ms. Manuel-Crossman:

This is a written request for public records made pursuant to Chapter 610 of the Revised Statutes of Missouri (the “Sunshine Law”), specifically §§ **610.011, 610.022, 610.023, 610.024, 610.026, 610.100, 610.150, and 610.200, RSMo**. This request is also made pursuant to the special access provisions of § **610.100.4, RSMo**, which authorize a person whose property is involved in an incident, and that person’s attorney, to obtain records otherwise closed under §§ 610.100 and 610.150, RSMo, for purposes of investigation of any civil claim or defense.

1. Identification of Requester and Standing Under § 610.100.4, RSMo

The requester is **East Park LLC**, a Missouri limited liability company, by and through its sole member, John Thomas, also acting in his individual capacity. East Park LLC is the verified fee simple record owner of **2609 Lemp Avenue, Unit A and Unit B, St. Louis, Missouri 63118** (the “Property”), as confirmed by the records of the City of St. Louis Assessor.

On the morning of **Sunday, April 26, 2026**, a call for service was placed to the St. Louis Metropolitan Police Department (“SLMPD”) concerning the Property, and SLMPD personnel and vehicles were dispatched to and present at the Property in response. The Property and East Park LLC were therefore directly “involved in [the] incident” within the meaning of § 610.100.4, RSMo, and the requester qualifies as a person entitled to obtain any records closed under §§ 610.100 or 610.150, RSMo.

These records are sought for purposes of investigation of any civil claim or defense, satisfying the statutory predicate of § 610.100.4, RSMo.

2. Incident Identifiers

To assist the custodian in locating responsive records, the request concerns the following:

- Date: Sunday, April 26, 2026
- Approximate time window: 6:00 a.m. to 2:00 p.m. Central Time (request is not limited to this window if the call or any related communication occurred outside it)
- Location: 2609 Lemp Avenue, Unit B, St. Louis, Missouri 63118
- Responding units: multiple SLMPD units

The requester does not at this time know (a) whether the call was placed via 911 or via the SLMPD non-emergency line (314-231-1212) or via any other line, channel, application, or means; (b) whether the caller identified themselves or remained anonymous; (c) whether the call resulted in the creation of a

numbered incident report, a numbered complaint, a CAD event only, or some combination thereof; or (d) the SLMPD-assigned complaint number, CAD event number, or incident number, if any. **This request is not limited by any of those uncertainties.** It seeks all responsive records however the call was received, however it was classified by the Department, and whether or not a formal report was generated.

3. Records Requested

Pursuant to §§ 610.011, 610.023, 610.100, 610.100.4, 610.150, and 610.200, RSMo, East Park LLC requests copies of the following records, in their complete, unaltered, and unedited form, concerning the call for service and police response described above:

1. All audio recordings of the originating call for service, in any form, including but not limited to: any 911 audio recording; any non-emergency line audio recording; any administrative line recording; any text-to-911 transmission; any recorded transferred-call audio; and any backup, redundant, or archived copy of the same. This request expressly invokes § 610.100.4, RSMo, to obtain the recording even if it is otherwise closed under § 610.150, RSMo.
2. All written or electronic transcripts, summaries, call cards, call notes, dispatcher entries, or other written or electronic memorialization of the originating call.
3. The telephone number from which the call originated, including any number captured by Automatic Number Identification (“ANI”), Caller ID, the carrier, or any other source, and including any cellular tower or device identifier captured.
4. The location data associated with the call, including any address or coordinates captured by Automatic Location Identification (“ALI”), Phase II GPS data, carrier-provided location, or any other source.
5. The name (if any) provided by or associated with the caller, and any subscriber, account, or device information captured by SLMPD or its systems in connection with the call.
6. All Computer-Aided Dispatch (“CAD”) records associated with the call and the resulting response, including the complete CAD event log, all timestamps (call received, dispatched, en route, on scene, cleared), all unit assignments, all priority codes, all call type and disposition codes, all dispatcher and call-taker identifiers, and all narrative or remarks fields.
7. The complete unaltered and unedited incident report and any supplemental reports concerning the call and response, as defined in § 610.100.1(4), RSMo, and as required to be open under § 610.100.2, RSMo.
8. The applicable entry or entries in any “daily log or record” maintained pursuant to § 610.200, RSMo.
9. The arrest report (if any) of any person taken into custody, detained, or transported in connection with the response, as required to be open under § 610.100.2, RSMo.
10. All radio transmissions and recordings between dispatch and responding units, including primary, secondary, and tactical channels, together with any radio logs.
11. All body-worn camera (“BWC”) recordings from every officer who responded to, or was present at, the Property in connection with the call, including pre-event buffer recordings. To the extent any such recording is treated as closed under § 610.100.2(2), RSMo (active investigation) or otherwise under § 610.100, RSMo, the request expressly invokes § 610.100.4, RSMo, to obtain the recording.
12. All in-car / dash camera (“MVR”) recordings from every SLMPD vehicle that responded to or was present at the Property in connection with the call. To the extent any such recording is treated

as closed under § 610.100.2(2), RSMo (active investigation) or otherwise under § 610.100, RSMo, the request expressly invokes § 610.100.4, RSMo, to obtain the recording.

13. All photographs, still images, and other visual records made by SLMPD personnel in connection with the response.
14. All field interview cards, contact cards, witness statements, and notes generated in connection with the response.
15. All internal communications (including emails, text messages, instant messages, Microsoft Teams messages, and any chat platform messages) between or among any SLMPD personnel, dispatchers, supervisors, or commanders concerning the call, the response, the caller, the Property, the requester, East Park LLC, Unit A, Unit B, or any guest or occupant present at the Property on April 26, 2026.
16. All communications between SLMPD personnel and any third party concerning the call, the Property, or any occupant or guest of the Property.
17. All complaint forms, intake forms, supervisor reviews, after-action reports, use-of-force reports, response-to-resistance reports, supervisor notes, watch commander logs, and shift logs generated in connection with the response.
18. Any record reflecting the basis on which the call was prioritized and the determination to dispatch the number and type of units that responded.
19. All records reflecting any reverse-lookup, subscriber inquiry, or follow-up by SLMPD into the identity, telephone number, or location of the caller.
20. All retention, deletion, and audit logs concerning the records identified above, including any record of access to, copying of, or alteration of those records since April 26, 2026.

4. Statutory Basis for Production

(a) Open records. Incident reports, arrest reports, and daily log entries are open records under §§ 610.100.2 and 610.200, RSMo. The “date, time, specific location and immediate facts and circumstances” surrounding the initial report of the crime or incident are likewise open under § 610.150, RSMo, and are deemed an incident report subject to § 610.100, RSMo.

(b) Closed records subject to § 610.100.4 access. To the extent any responsive record is treated as closed under § 610.100 or § 610.150, RSMo — including the audio recording of the call, the caller’s telephone number, the caller’s identifying information, any non-public portion of the CAD event, any mobile video recording (whether body-worn camera or in-car / dash camera) closed under § 610.100.2(2), RSMo (active investigation) or otherwise, and any other record closed by operation of § 610.100, RSMo — East Park LLC expressly invokes its right of access under **§ 610.100.4, RSMo**, as a person whose property was involved in the incident, for purposes of investigation of any civil claim or defense.

(c) Severability. If any responsive record contains both exempt and nonexempt material, **§ 610.024, RSMo**, requires that the nonexempt portion be made available, and that any deletion or redaction be accompanied by a written explanation. A blanket withholding of an entire record because some portion may be exempt is not authorized by Missouri law.

(d) Strict construction of exemptions. Under § 610.011, RSMo, the Sunshine Law is to be liberally construed and its exceptions strictly construed. Any decision to withhold or redact must identify the specific statutory exception relied upon, in writing, as required by § 610.023.4, RSMo.

(e) No “active investigation” blanket withholding. To the extent any portion of the responsive material is characterized as part of an investigative report under § 610.100.1(5), RSMo, please identify (i) the

specific investigation, (ii) its current status, and (iii) the articulable basis on which any record is being withheld. Investigative-report status does not exempt incident reports, arrest reports, daily-log entries, or the open elements identified in §§ 610.100.2, 610.150, and 610.200, RSMo.

5. Statutory Response Deadlines

Under § 610.023.3, RSMo, this request must be acted upon “as soon as possible, but in no event later than the end of the third business day” following the custodian’s receipt of the request. If the records cannot be produced within that window, the custodian must provide a written statement of the reason for the delay and the earliest time and date the records will be available.

Separately, under § 610.100.4, RSMo, the Department must, within thirty (30) days of receipt of this written request, either (a) provide the requested material, or (b) file a motion in the circuit court having jurisdiction over the Department stating that the safety of any victim, witness, or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized. Absent such a court motion, withholding of records to which § 610.100.4 access applies is unauthorized.

6. Definitions

For purposes of this request:

“Record” and “records” have the meaning set forth in § 610.010(6), RSMo, and include any document, book, paper, photograph, map, sound recording, video recording, computer file, database entry, email, text message, instant message, chat message, log, audit trail, or other means of recording any form of communication or representation, regardless of physical form, characteristics, or medium of storage, retained by SLMPD or by any agent, contractor, or vendor of SLMPD on behalf of SLMPD.

“SLMPD” means the St. Louis Metropolitan Police Department, including without limitation its Communication Division (which the Department’s public website identifies as the City’s primary 911 answering point), its Bureau of Records, its Sunshine Law Unit, and any division, bureau, unit, or contractor that creates, receives, maintains, or stores records on the Department’s behalf.

“Call” means the originating telephone, electronic, or other contact described in Section 2 of this request, together with any transferred, follow-up, or related contact arising from or referencing the same matter, regardless of whether received on the 911 line, the non-emergency line, an administrative line, or any other channel.

7. Search Adequacy and “No Responsive Records”

Should the Department represent that any category of requested record does not exist, please describe in writing the search performed, the systems and repositories searched (including by name and by retention period), the personnel who performed the search, and the date(s) of the search. Categories of records routinely generated by SLMPD when a call for service is received and units are dispatched — including 911 or non-emergency call audio, ANI/ALI data, CAD event logs, dispatcher narratives, body-worn camera and in-car video recordings, and radio communications — are presumptively created and retained in the ordinary course of business, and a bare assertion that “no responsive records exist” is not an adequate response under §§ 610.011, 610.023, and 610.100, RSMo.

8. Format, Fees, and Delivery

Records are requested in their original electronic format where applicable (e.g., native audio for call recordings; native video for BWC and MVR; native CAD export for dispatch records), consistent with § 610.029, RSMo. To the extent records exist only in paper form, electronic copies (PDF) are acceptable. Delivery by email to the requester is requested.

Pursuant to § 610.026, RSMo, fees may not exceed the actual cost of document search and duplication, and the Department is required to use the lowest salaried employees capable of performing the search and duplication. **If estimated fees will exceed \$50.00, please provide a written, itemized cost estimate and an opportunity to authorize, narrow, or contest the estimate before any work is performed.**

Pursuant to § 610.026.1(1), RSMo, the requester additionally requests a fee waiver or reduction to the extent the Department determines that the records sought are likely to contribute significantly to public understanding of the operations or activities of the Department.

9. Preservation Demand

Effective immediately, SLMPD is placed on formal written notice to preserve all records described above and any related records, including audio recordings, video recordings, CAD entries, radio recordings, body-worn camera footage, in-car video, electronic communications, and audit logs, regardless of any otherwise-applicable retention or auto-deletion schedule. This preservation demand is made in anticipation of civil litigation. Any deletion, alteration, overwriting, or destruction of responsive records following receipt of this notice will be addressed as spoliation of evidence in any subsequent civil or administrative proceeding.

10. Response and Reservation of Rights

Please direct all responses, communications, partial productions, fee estimates, and any written denial (including the specific statutory provision relied upon under § 610.023.4, RSMo) to the requester at the contact information shown below the signature. The requester is willing to confer in good faith to narrow or clarify any portion of this request the Department believes is unduly burdensome.

All rights and remedies under §§ 610.027 and 610.100.6, RSMo, including civil penalties of up to \$1,000 for knowing violations and up to \$5,000 for purposeful violations, attorneys' fees, and injunctive relief, are expressly reserved. Nothing in this request shall be construed as a waiver of any privilege, claim, defense, or other right of the requester.

Respectfully,

John Thomas
Sole Member, East Park LLC

PETITION EXHIBIT 2



August 17, 2026

Via Email and Regular Mail

Barbara Manuel
Custodian of Records, St. Louis Metropolitan Police Department
1915 Olive Street, Room 562
St. Louis, Missouri 63103

Re: Notice of Sunshine Law Violation Regarding Request #P011674-042926

Dear Ms. Manuel:

This letter serves as formal notice that the St. Louis Metropolitan Police Department (SLMPD) is in violation of §§ 610.023 and 610.100.4, RSMo. As this letter is being sent in anticipation of litigation, you are instructed to preserve copies of all relevant records retained by the SLMPD as of the date this letter is received and to ensure that none are altered or destroyed until such time as this dispute is resolved by a court ruling or by private agreement between my client, Mr. John Thomas, and the SLMPD.

At about 4:30 in the afternoon on Tuesday, April 28, 2026, Mr. Thomas sent to sunshinelawrequests@slmpd.org (copying jruco@rugolaw.com) a set of Sunshine Law requests related to an incident involving his property at 2609 Lemp Avenue, Unit B, St. Louis, Missouri 63118. He then submitted the same set of requests through the SLMPD Public Record Portal on Wednesday, April 29. The request was assigned Reference #P011674-042926.

[View File\(s\)](#)

[View Message\(s\)](#)

Request Type:	SLMPD - Public Records Request
Contact E-Mail:	onlinepostings99@gmail.com
Reference No:	P011674-042926
Status:	Assigned
Balance Due:	\$0.00
Payments:	\$0.00

UPLOAD DATE



Files:

04/29/2026

[SLMPD_Sunshine_Law_Request_4-26-2026.pdf](#)

Mr. Thomas's requests expressly noted that they involved an incident involving his property and were being made pursuant to § 610.100.4. He identified the date, approximate time, and location of the incident. He identified the various parts of the Sunshine Law that gave him the right to access the records he was requesting. He specified twenty particular types of records that the SLMPD might maintain in relation to the incident involving his property. He also noted the statutory deadlines for responding to his request under § 610.023.3 ("as soon as possible, but in no event later than the end of the third business day" following the custodian's receipt of the request) and for producing the records he requested pursuant to § 610.100.4 ("within thirty days of such request, the agency shall provide the requested material" or seek leave of court to close or redact part of the requested material), as well as the penalties the Sunshine Law affords for knowing and/or purposeful violations of the Sunshine Law's requirements under §§ 610.027 and 610.100.6.

Despite the clarity of Mr. Thomas's requests, his unmistakable invocation of his rights under the Sunshine Law, and his clear statement of the penalties the SLMPD would incur if it failed to properly respond to his requests, the SLMPD did not respond *at all* to his requests until July 6, 2026—*sixty-eight* days after he first submitted them.

In the email you sent on July 6, 2026, you asked a question about one of the twenty categories of information he requested. You did not indicate any confusion as to the remaining nineteen categories, but you did not produce records responsive to any of the twenty categories. To date, the SLMPD still has not produced even one record responsive to Mr. Thomas's requests, nor has it given any explanation for its delay or the place and earliest time and date the requested records will be available for inspection.

The SLMPD has violated the Sunshine Law in three ways. First, it violated § 610.023.3 by failing to respond to Mr. Thomas's request by the end of the third business day after he submitted it. Second, it also further violated this section by, having not "immediately" granted Mr. Thomas access to the records he requested, then failing to provide him with "a detailed explanation of the cause for further delay and the place and earliest time and date" the SLMPD would make the records available to him. Third, the SLMPD violated § 610.100.4 by failing "within thirty days" either to produce the materials Mr. Thomas requested or to file a motion with a court seeking permission to close or redact those materials.

Even under the a charitable interpretation of these events, the SLMPD's Sunshine Law violations were "knowing," and likely "purposeful." It has been firmly established for more than twenty years that the SLMPD and the Board of Police Commissioners are public governmental bodies obliged to comply with the Sunshine Law. *See State ex rel. Goodman v. St. Louis Bd. of Police Comm'rs*, 181 S.W.3d 156, 159 (Mo. App. E.D. 2005) ("[I]t is undisputed that the Board and the Police Department are public governmental bodies."). The SLMPD is also aware of its obligations under the Sunshine Law, as well as the likely consequences for such a violation, having previously been found on multiple occasions to have committed knowing or purposeful violations of the Sunshine Law. *See, e.g., St. Louis Post-Dispatch v. SLMPD*, St. Louis City Circuit Court Case No. 2422-CC00778, May 14, 2026 Order and Judgment (finding SLMPD purposefully violated Sunshine Law); *Farber v. Metropolitan Police Dept. of St. Louis*, 558 S.W.3d 70, 72 (Mo. App. E.D. 2018) (affirming judgment finding knowing violation of Sunshine Law); *Chasnoff v. Mokwa*, 466 S.W.3d 571, 584 (Mo. App. E.D. 2015) (affirming judgment finding knowing violation of Sunshine Law and award of \$100,000 in attorney fees). Specifically in regard to its obligations under § 610.100.4, the Police Department was also involved in *In re: Sunshine Law Request Involving Joseph Finger on October 24, 2017*, St. Louis City Circuit Court Case No. 1822-

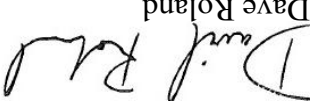
CC11513, in which it belatedly filed a motion pursuant to § 610.100.4 and ultimately agreed to the entry of a consent judgment stating that it had "failed to timely act on [the Respondent's] request as required under Section 610.100.4, RSMo.," that it "failed to act within 30 days to file its Motion to Close," and that "it violated the Sunshine Law by failing to act within thirty days of [the Respondent's] request."

It has now been nearly four months since Mr. Thomas asked the SLMPD to provide records pursuant to the Sunshine Law. Although prior to May 29, 2026, the SLMPD could have asked the St. Louis City Circuit Court for permission to withhold or redact the records, it did not exercise that option. The window to file a motion authorized under § 610.100.4 is now closed. Accordingly, the SLMPD must immediately produce to Mr. Thomas complete, unaltered and unedited copies of the records he has requested.

Please confirm to me *no later than August 21, 2026*, that the SLMPD will begin producing complete, unaltered and unedited copies of the requested records to Mr. Thomas, including the earliest time and date the records will be made available to him.

If you wish to discuss this matter further, please feel free to contact me at (602) 462-5000 or at droland@goldwaterinstitute.org.

Sincerely,



Dave Roland

Director of Allied Litigation
Scharf-Norton Center for
Constitutional Litigation at the
Goldwater Institute

PETITION EXHIBIT 3



St. Louis Metropolitan Police Dept
Attn: SEE BELOW FOR PAYMENT INSTRUCTIONS
1915 Olive Street
St. Louis, MO 63103

Remit To:

St. Louis Metropolitan Police Department
ATTN: SEE BELOW FOR INSTRUCTIONS
1915 Olive Street
St. Louis, MO 63103

Bill To:

John Thomas

I Invoice Summary

Invoice No:	INV26-P011674-1
Request Reference Number:	P011674-042926
Invoice Date:	8/18/2026
Due Date:	11/16/2026
Status:	Open
Balance Due:	\$183.77

Category	Description	Details	Cost	Unit	Add Overhead	Total Quantity	Quantity Waived	Quantity Charged	Total
Bodyworn /ICC camera	Research	Time locating, reviewing, and copying BWC/ICC videos.	\$19.13	Per Hour	☐	1.22	0.00	1.22	\$23.27
IT E-mail Search	Programming		\$36.00	Per Hour	☐	4.00	0.00	4.00	\$144.00
Communi cations	Research & Copying		\$22.00	Per Hour	☐	0.75	0.00	0.75	\$16.50
								Sum	\$183.77

Totals:

Total:	\$183.77
Payments:	\$0.00
Balance Due:	\$183.77

Payment Instructions:

Pay On-line OR send a business check or money order payable to the **City of St. Louis**, and mail to the below address, along with a copy of this invoice:

If payment is not received within 90 days, this request will be considered withdrawn and closed.

St. Louis Metropolitan Police Department

Attn: Records Division
1915 Olive Street
St. Louis, MO 63103

For your reference, this department's taxpayer ID is: 43-6003231

PETITION EXHIBIT 4

John Thomas
2609 Lemp Avenue, Unit B
St. Louis, MO 63118

August 21, 2026

Barbara Manuel
Custodian of Records
St. Louis Metropolitan Police Department
1915 Olive Street, Room 562
St. Louis, Missouri 63103

Re: Payment Under Protest — Invoice No. INV26-P011674-1; Records Request Dated April 28, 2026 (Reference #P011674-042926) Pursuant to § 610.100.4, RSMo

Dear Ms. Manuel:

Enclosed is a check in the amount of \$183.77, tendered in payment of the above-referenced invoice issued by the St. Louis Metropolitan Police Department in connection with my request for records under § 610.100.4, RSMo, submitted on April 28, 2026. As reflected in the notation on the face of the check, this payment is made under protest.

I am tendering payment in order to resolve the invoice and to avoid any further delay in this matter. I do not concede that the charge is lawful, and I am paying under protest for the reasons that follow.

1. Section 610.100.4 does not authorize the Department to demand payment for records produced under that subsection.

Subsection 4 provides that a person involved in an incident may, upon written request, obtain a complete, unaltered, and unedited incident report, and may obtain access to other records closed by a law enforcement agency under § 610.100. It then directs that, within thirty days of such a request, the agency “shall provide the requested material” or file a motion with the circuit court having jurisdiction over the agency. The subsection imposes a mandatory duty to produce. It contains no fee schedule, and it contains no language authorizing an agency to condition production on payment. The Department has not identified any provision that authorizes the charge reflected in the invoice for records produced under this subsection, and I am aware of none.

2. The Department did not seek payment until well after its time to produce the records had expired.

My request was submitted on April 28, 2026. Under § 610.100.4, the Department had thirty days — until May 28, 2026 — either to provide the requested material or to file a motion with the circuit court. The Department did neither within that period, and it said nothing about payment at any point during the thirty-day window. The invoice was not issued until August 18, 2026, approximately 82 days after the statutory deadline had run. Whatever authority the Department might otherwise have had to seek payment in connection with a request of this kind, that authority cannot be asserted for the first time after the time for compliance has already expired. A charge first invoked after the deadline cannot operate as a condition precedent to a production that the statute required to be completed within thirty days.

Reservation of rights.

This payment is made solely under protest. It is not, and shall not be construed as, a voluntary payment, an acquiescence in the Department's position, a waiver of any objection to the invoice or to any charge reflected in it, or an admission that any sum was lawfully owed. I expressly reserve all rights to challenge the legality of the invoice and the charges it reflects, to seek the return of any amounts unlawfully collected, and to pursue any other remedy available under Chapter 610, RSMo, or otherwise at law or in equity, including without limitation an application under § 610.100.6, RSMo.

I note for the record that I declined to pay through the Department's online portal and instead requested an address for payment by mail, precisely so that this protest could be documented both on the face of the instrument and in this accompanying letter.

Please direct any correspondence regarding this matter to attorney, Dave Roland.

Sincerely,

John Thomas

Enclosure: Check marked "Paid Under Protest"

PETITION EXHIBIT 5

INVOICE - POLICE RECORDS REQUEST :: P011674-042926

1 message

City of St. Louis Public Records Center <stlouismo@govqa.us>
To: "onlinepostings99@gmail.com" <onlinepostings99@gmail.com>

Tue, Aug 18, 2026 at 2:25 PM

Attachments:[INV26-P011674-1.pdf](#)

RE: Public Records Request submitted on April 29, 2026, Reference # P011674-042926.

Dear John Thomas,

An invoice has been prepared in the above-referenced request. Please login to the [SLMPD Public Records Portal](#) to review this invoice.

Payment Instructions-

Log-in to the records portal to pay this invoice on-line OR remit payment in the form of a business check or money order payable to the **City of St. Louis**, and mail to the below address, along with a copy of the invoice.

St. Louis Metropolitan Police Department
Attn: Barbara Manuel, Sunshine Law
[1915 Olive Street](#)
[St. Louis, MO 63103](#)

Processing of this request will resume once payment is received. If payment is not received within 90 days, this request will be considered withdrawn and closed.

Sincerely,

Barbara Manuel
Sunshine Law

To monitor the progress or update this request please log into the [SLMPD Public Records Portal](#)



PETITION EXHIBIT 6

IN THE TWENTY-SECOND JUDICIAL CIRCUIT
CITY OF ST. LOUIS
STATE OF MISSOURI

FILED
JUL 22 2019
22ND JUDICIAL CIRCUIT
CIRCUIT CLERK'S OFFICE
BY MS DEPUTY

IN RE SUNSHINE REQUEST INVOLVING
JOSEPH FINGER ON OCTOBER 24, 2017.

Case No. 1822-CC11513
Division 6

CONSENT JUDGMENT

ENTERED

JUL 22 2019

MS

The parties having stipulated and consented to the relief set forth below and the entry of this Consent Judgment, the Court rules as follows:

FINDINGS

1. LaDarla Nieder's only child, Megan, was the victim of a murder committed in the City of St. Louis on or about October 24, 2017.
2. On or about February 7, 2018, Nieder filed a records request seeking information related to her daughter's murder.
3. The City processed Ms. Neider's request according to the provisions of Section 610.100.4, RSMo, as Ms. Neider is a family member "within the first degree of consanguinity" of a deceased individual.
4. The City failed to timely act on Neider's Request as required under Section 610.100.4, RSMo. Specifically, the City failed to act within 30 days to file its Motion to Close.
5. The City filed its Motion to Close on October 26, 2018, after 261 days had elapsed since Neider submitted her request.

6. The City acknowledges its Motion to Close was untimely filed and that it violated the Sunshine Law by failing to act within thirty days of Nieder's request.
7. The City shall produce to Nieder the requested record, subject to the attached Protective Order and voluntarily dismiss with prejudice its Motion to Close.
8. The City shall pay Nieder's attorney fees in the amount of \$2,686 in accordance with Section 610.027, RSMo.
9. As part of this Consent Judgment Nieder dismisses with prejudice her Counterclaim against the City.

IT IS HEREBY ORDERED that the City violated the Sunshine Law by failing to act within thirty days of Nieder's request pursuant to Section 610.100.4, RSMo.

IT IS FURTHER ORDERED that the City's Motion and Nieder's Counterclaim are dismissed, with prejudice.

DATE

7/22/19

HONORABLE MICHAEL STELZER



PETITION EXHIBIT 7



Attorney and Insurance Company Instructions for Sunshine Law Requests under 610.100.4

Access to police records related to pending criminal matters must be sought under the Missouri Rules of Criminal Discovery, not the Missouri Sunshine Law. Section 610.100.4 authorizes release of closed records in relation to civil claims only.

If you represent an involved party* and would like access to closed records pursuant to section 610.100.4 RSMo, for the purpose of investigating a civil claim or defense - it is strongly recommended you submit your request via the **SLMPD Public Records Portal**: https://pd-stlouismo.govqa.us/WEBAPP/_rs. This will result in faster service, progress tracking and secure electronic delivery of most records. In order to receive electronic copies of records, requests must be submitted on-line.

You are encouraged to receive and review the report prior to requesting any videos, photos, 911 calls or other evidentiary material. The report will identify what items were gathered as evidence and what may be available upon request. This will expedite processing of your request and save costs.

If you opt to submit your request by mail, your written request must meet the following requirements for consideration of release under 610.100.4.

Required Information:

- Must be on Law firm or Insurance Company letterhead.
- State the name of your client or claimant.
- State the purpose of your request. *Example: I am seeking records to investigate a civil claim or defense.*
- As much of the following information:
 - Date of Incident
 - Type of Incident *Examples: Car accident, assault, police pursuit*
 - Complaint Number
 - Location of Incident
 - Names of parties involved
- Must include an original signature.
- Must include the attorney's name, bar number and contact information OR
- Must include insurance company employee's name, title and contact information.
- Include a description of the records you would like, please be as specific as possible.

If the above requirements are not met, the Department may not process your request under 610.100.4 and you will receive open records only.

**An involved party must be named in the responsive incident report as one of the following: Driver, passenger, witness, victim, property owner, suspect.*

Effective Date: January 1, 2021