

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

THOMAS L. SANDERSON,
an individual,

Plaintiff,

vs.

ANDREW BAILEY, in his official
capacity as Attorney General of the State
of Missouri; and JAMES HUDANICK,
in his official capacity as Chief of Police
of the city of Hazelwood, Missouri

Defendants.

Civil Action:

Case No.

VERIFIED COMPLAINT

Plaintiff Thomas L. Sanderson hereby alleges as follows:

1. This action challenges the constitutionality of a provision of Missouri state law mandating that persons convicted of sex offenses (“**Registrants**”) display a sign at their residences declaring “No candy or treats at this residence” each Halloween. (Exh. A, MO Rev. Stat. § 589.426(1)(3) (2022), hereinafter the “**Halloween Sign Posting Mandate**” or “**the Statute.**”)

2. Courts in other jurisdictions have struck down similar Halloween sign posting mandates on the ground that they are “classic” examples of “compelled speech” in violation of the First Amendment. E.g., McClendon v. Long, 22 F.4th 1330, 1337 (11th Cir. 2022).

3. Further, sign posting mandates such as that imposed by the State of Missouri “pose[] a danger to [Registrants], their families and their property.” Doe v. City of Simi Valley, 2012 WL 12507598, at *7-9 (C.D. Cal. Oct. 29, 2012). That is because the sign posting mandate and its association with the requirement to register as a sex offender is highly publicized by state and local government, as well as the media. Further, both the government and the media encourage the public to view the occupants of any house displaying the sign at issue as likely abusers of children. As one United States District Court observed, a Halloween sign’s “function and effect is likely to approximate that of Hawthorne’s *Scarlet Letter* – . . . potentially subjecting [Registrants] to dangerous mischief common on Halloween night and to community harassment in the weeks and months following[.]” Id. at 9

4. There is no empirical evidence for the State of Missouri’s continued assertion of a danger to children from Registrants on Halloween, or for any special regulation of Registrants on Halloween. In fact, the leading association of specialists in the treatment of sexual offenders, the Association for the Treatment of Sexual Abusers (ATSA), affirmatively denounces Halloween restrictions such as Missouri’s Halloween Sign Posting Mandate because they are grounded in “myth” and “do not make children safer.” See Exh. B, ATSA, *Halloween and sexual abuse prevention: The mythical “Halloween effect”* (Oct. 4, 2019).

5. The baseless nature of the Missouri Statute is compounded by its arbitrary enforcement in the state. For example, for the past 22 years, Plaintiff Thomas L. Sanderson, a Registrant, and his family have hosted popular Halloween festivities on their property in the city of Hazelwood, which included lavish decorations on and around their residence. In 2008 and 2012, both the St. Louis County Police Department and the Hazelwood Police Department, respectively, informed Plaintiff Sanderson that neither the Halloween Sign Posting Mandate nor

any other provision of the Statute applied to Plaintiff, because his conviction predates the effective date of the Statute, August 28, 2008. Therefore, for each of the past 14 years, and with law enforcement's direct knowledge, Plaintiff Sanderson decorated his property for Halloween, and otherwise participated in Halloween activities with the more than 100 hundred people who typically attend it, without complying with the Halloween sign posting mandate. At no time during that 14-year period did Plaintiff Sanderson receive notice that the Statute applied to him.

6. However, on November 3, 2022, Hazelwood Police officers suddenly arrested Plaintiff for a violation of Section 589.426. The State of Missouri prosecuted Plaintiff Sanderson for the same, and Plaintiff Sanderson was convicted on April 13, 2023.

7. Plaintiff Sanderson and his family are gravely concerned that the sudden disappearance of his well-known annual Halloween display, coupled with the conspicuous appearance of the sign mandated by the Statute, will invite danger to himself, his family, and his property. As more fully pleaded below, the Halloween Sign Posting Mandate of Missouri Revised Statute section 589.426 violates the First Amendment by forcing Plaintiff Sanderson to "denunciate" himself, and by forcing Plaintiff Sanderson to utter speech that is false, political in nature, and that he does not wish to make. Gralike v. Cook, 191 F.3d 911, 917-19 (8th Cir. 1999), aff'd on other grounds Cook v. Gralike, 531 U.S. 510 (2001).

8. Accordingly, Plaintiff seeks a judgment enjoining prospective enforcement of the sign posting mandate of the Statute.

I. JURISDICTION AND VENUE

9. This court has jurisdiction over this action pursuant to 28 U.S.C. sections 1331, 1343(a), and 2201, as well as 42 U.S.C. section 1983.

10. Venue is proper in the Eastern District of Missouri because Defendants reside in that judicial district, in that they maintain an office in that District and perform their official duties in that District. (28 U.S.C. § 1391, subd. (b)(1).) In addition, venue is proper in the Eastern District of Missouri because a substantial part of the events giving rise to the claim has occurred or will occur in that judicial district, that is, the prosecution of Plaintiff Sanderson for violation of the Statute. (28 U.S.C. § 1391, subd. (b)(2).) In addition, venue is proper in the Eastern District of Missouri because the property that is subject to the Statute, that is, Plaintiff Sanderson's residence, is located in this judicial district. (28 U.S.C. § 1391, subd. (b)(3).)

11. Divisional venue is proper in the Eastern Division pursuant to Local Rule 2:07 (A)(1), (B)(2), because at least one Defendant resides in the Eastern Division, and because the claim for relief arises in the Eastern Division. E.D.Mo. L.R. 2.07.

II. PARTIES

12. Plaintiff Thomas W. Sanderson is an individual residing in the city of Hazelwood, Missouri, who was convicted of an offense requiring registration pursuant to Missouri Revised Statute sections 589.400 to 589.425 in the State of Missouri.

13. Defendant Andrew Bailey is the Attorney General of the State of Missouri and in that capacity is responsible for the enforcement of Missouri State law against Plaintiff Sanderson, including the unlawful provision of the Statute at issue in this action. Defendant Bailey is sued in his official capacity.

14. Defendant Hudanick is the Chief of Police of the city of Hazelwood, Missouri, and in that capacity is responsible for the enforcement against Plaintiff Sanderson of the unlawful provision of the Statute at issue in this action. Defendant Hudanick is sued in his official capacity.

III. FACTS

A. Missouri Revised Statute Section 589.426 and the Halloween Sign Posting Mandate

15. Effective August 28, 2008, the State of Missouri enacted Missouri Revised Statute section 589.426, which imposes certain restrictions and affirmative obligations upon Registrants each October 31st (Halloween). The Statute provides, in full, as follows:

589.426. Halloween, restrictions on conduct — violations, penalty. —

1. Any person required to register as a sexual offender under sections 589.400 to 589.425 shall be required on October thirty-first of each year to:

- (1) Avoid all Halloween-related contact with children;
- (2) Remain inside his or her residence between the hours of 5 p.m. and 10:30 p.m. unless required to be elsewhere for just cause, including but not limited to employment or medical emergencies;
- (3) Post a sign at his or her residence stating, "No candy or treats at this residence"; and
- (4) Leave all outside residential lighting off during the evening hours after 5 p.m.

2. Any person required to register as a sexual offender under sections 589.400 to 589.425 who violates the provisions of subsection 1 of this section shall be guilty of a class A misdemeanor.

MO Rev. Stat. § 589.426 (2022). The provision of the Statute requiring Registrants to “post a sign at his or her residence stating ‘No candy or treats at this residence’” is referred to herein as the “Halloween Sign Posting Mandate.” *Id.* § 589.426, subd. (1)(3).

B. Halloween Sign Posting Mandates Are Based Upon Myth of “Stranger Danger” and Wholly Lack Empirical or Other Support

16. Halloween restrictions like those contained in Section 589.426 are based upon a myth of “stranger danger” and other false and emotionally charged beliefs that are consistently refuted by empirical data.

17. In 2019, the prestigious Association for the Treatment of Sexual Abusers (ATSA) published a statement entitled *The Mythical “Halloween Effect”* expressly concluding that

“Jurisdictions that ban individuals on sex offender registries from participating in any Halloween activities, require registrants to post signs in their yards during Halloween, or round up registrants for the duration of trick-or-treating do not make children safer.” Exh. B, ATSA, *Halloween and sexual abuse prevention: The mythical “Halloween effect”* (Oct. 4, 2019). ATSA laments that “due to the myths regarding child sexual abuse that focus on ‘stranger danger,’ communities and lawmakers often endorse policies that do little to prevent sexual abuse and instead unnecessarily stretch limited law enforcement resources.” *Ibid.* The entire ATSA Statement is quoted here:

As October arrives and families begin preparing for Halloween, it is always a priority to ensure children’s safety during this holiday. It is important to learn the facts and know the risks to your child during this festive time. A heightened risk of being sexually abused is NOT one of the dangers children face at Halloween.

The simple fact is that there are no significant increases in sex crimes on or around Halloween. There is no “Halloween effect.” There is no change in the rate of sexual crimes by non-family members during Halloween. That was true both before and after communities enacted laws to restrict the activities of registrants during Halloween.

The crimes that do increase around Halloween are vandalism and property destruction, as well as theft, assault, and burglary. In addition, according to the Centers for Disease Control, children are four times more likely to be killed by a pedestrian/motor-vehicle accident on Halloween than on any other day of the year.

Fully 93% of sexual assaults on children are perpetrated by someone known to, and trusted by, the child and the child’s family. But due to the myths regarding child sexual abuse that focus on “stranger danger,” communities and lawmakers often endorse policies that do little to prevent sexual abuse and instead unnecessarily stretch limited law enforcement resources.

Jurisdictions that ban individuals on sex offender registries from participating in any Halloween activities, require registrants to post signs in their yards during Halloween, or round up registrants for the duration of trick-or-treating do not make children safer. Instead, these approaches create a false sense of safety while using law enforcement resources that could be better spent protecting children against the higher risk they do face during Halloween – injury or death from motor vehicles.

Child sexual abuse is a serious public health issue that faces all communities. Although the prevalence of child sexual abuse can be difficult to

determine due to under-reporting, researchers estimate that one in four girls and one in six boys will be victims of sexual abuse before age 18.

For concerned parents, the best way to protect children from sexual abuse is to know the facts about sexual offending and take precautions based on facts, not fears. Parents can visit www.atsa.com to learn more about sexual abuse and prevention.

Exh. B.

18. Other subject matter experts echo the same conclusion. In a recent nine-year study of sex offender behavior led by renowned expert and psychologist Jill Levenson, Ph.D., entitled "*How Safe are Trick-or-Treaters?*", Dr. Levenson and her colleagues determined that threats to children from Registrants on Halloween are virtually non-existent, and that no such case has ever occurred in the jurisdictions studied. Dr. Levenson's findings in fact "suggest that Halloween policies [like Section 589.426] may in fact be targeting a new urban myth similar to past myths warning of tainted treats."¹ In a related publication, Dr. Levenson explains the methodology underlying this conclusion:

Using national incident-based reporting system (NIBRS) crime report data from 1997 through 2005, we examined 67,045 non-familial sex crimes against children age 12 and younger. Halloween rates were compared to expectations based on time, seasonality and weekday periodicity. There were no significant increases in sex crimes on or around Halloween, and Halloween incidents did not demonstrate unusual case characteristics. Findings did not vary in the years prior to and after these policies became popular. If these policies were to have an effect on overall Halloween victimization, we would expect that the rates of offenses on Halloween would show a greater decline over time relative to the rates for other days.²

19. Sociologist Emily Horowitz, Ph.D., author of three books studying the efficacy of sex offender laws, likewise surveyed social science evidence and concludes: "There is no

¹ See Levenson, et al., *How Safe are Trick-or-Treaters? An Analysis of Child Sex Crime Rates on Halloween* (2009), <http://sax.sagepub.com/content/21/3/363.abstract> (emphasis added).

² Levenson, et al., *Halloween & Sex Crime: Myth vs. Reality* (Oct. 24, 2014), <https://blog.atsa.com/2014/10/halloween-sex-crime-myth-vs-reality.html>

research that sex offenses increase on Halloween, no evidence that sex offenders target children on Halloween, and, in fact, no evidence that a child has ever been a victim of sexual abuse by a stranger while out trick-or-treating.”³

C. **The State of Missouri Prosecuted Plaintiff Thomas L. Sanderson for Violating the Statute 14 Years After Law Enforcement Confirmed the Statute Did Not Apply to Him**

20. Upon information and belief, law enforcement agencies within the State of Missouri, including Defendants in this action, currently investigate and prosecute violations of the Statute, including the Halloween Sign Posting Mandate.⁴

21. Plaintiff Sanderson and his family moved to the city of Hazelwood, Missouri in or about the year 2000. Each Halloween for the 22-year period between 2000 and 2022, Plaintiff Sanderson’s family erected and maintained lavish Halloween displays at their home and on their large property. The displays included numerous stationary and animated or animatronic figures and creatures, lights, music, fog machines, and other Halloween décor. Over time, the Sanderson’s display came to include a large bonfire. Local firemen stopped firetrucks in front of the Sanderson property to hand out candy. The Sandersons’ display has been a neighborhood tradition for many years, with over 300 people visiting each Halloween.

³ EMILY HOROWITZ, PROTECTING OUR KIDS? HOW SEX OFFENDER LAWS ARE FAILING US 71 (2015) (emphasis added).

⁴ E.g., Victoria Bordenga, “Missouri sex offenders face extra scrutiny on Halloween,” Oct. 31, 2022, at <https://www.wgem.com/2022/10/31/missouri-sex-offenders-face-extra-scrutiny-halloween/> (“Missouri police are checking up on sex offenders to make sure your kids are safe while trick or treating this Halloween. . . . Shelbina Police Chief Jeff Brown said parents [] can rest assured that deputies will be enforcing this law tonight. ‘They’ll [deputies] be assigned to different parts of the county and that’s what that deputy will have to do,’ Brown said. . . . If they’re not compliant, those sex offenders are subject to arrest.”).

22. In or about 2000, shortly after moving to Hazelwood, law enforcement interviewed Plaintiff Sanderson regarding allegations of inappropriate sexual touching made by a 16-year-old friend of the family. Plaintiff Sanderson thoroughly denied the allegations. No action was taken for six years, until the year 2006, when Plaintiff Sanderson was arrested and prosecuted based upon those allegations.

23. In 2006, Plaintiff Sanderson was convicted of an offense requiring registration as a sex offender under Missouri law. Plaintiff Sanderson continues to deny the allegations.

24. In 2008, the state of Missouri enacted the Statute, the requirements of which were widely reported in the media, including the Halloween Sign Posting Mandate. The Statute took effect on August 28, 2008. Upon information and belief, there was confusion regarding its applicability to Registrants such as Plaintiff Sanderson who were convicted prior to the Statute's effective date.⁵

25. Prior to October 31, 2008, Plaintiff visited the St. Louis County Police Department, the law enforcement agency at which he is required to register and asked whether the Statute applied to him. The registration official with the St. Louis County Police Department affirmatively stated that the Statute did not apply to Plaintiff because he was convicted prior to the effective date of the Ordinance. Accordingly, Plaintiff Sanderson continued to decorate his residence and to participate in Halloween festivities as usual.

26. Four years later, in or about October 2012, Hazelwood Police Offices appeared at Plaintiff Sanderson's residence to inquire about his Halloween decorations, alleging him to be in

⁵ On January 12, 2010, the Missouri Supreme Court ruled that the Statute could not be lawfully applied to persons convicted prior to August 28, 2008 under the "retrospective application" clause of Article I, section 13 of the Missouri Constitution. F.R. v. St. Charles County Sheriff's Dept., 301 S.W.3d 56, 60 (Mo. 2010). Three years later, this ruling was called into doubt. State v. Wade, 421 S.W.3d 429, 435 (Mo. 2013).

violation of the Statute. Plaintiff Sanderson advised Hazelwood Police Officers that the St. Louis County Police Department told him four years earlier, in 2008, that he need not comply with the Statute. Soon thereafter, a representative of the Hazelwood Police Department called Plaintiff Sanderson to apologize, and again confirmed that he was not subject to the Statute.

27. For the next 10 years, Plaintiff Sanderson continued to decorate his residence and participate in Halloween festivities there. Plaintiff Sanderson never received, at any time between 2008 and 2022, written or verbal notice that the Statute or any aspect of it applied to him.

28. However, on or about October 31, 2022, while his residence was decorated as it had been for the past 22 Halloweens, six marked vehicles from the Hazelwood Police Department descended upon the Sanderson residence with sirens blaring. At least 10 Hazelwood Police officers then entered Plaintiff Sanderson's property from all sides, including through his neighbor's yard. Officers told Plaintiff Sanderson he was in violation of the Statute that he had twice before been told did not apply to him. The offices asked for permission to search his property, which Plaintiff Sanderson refused to grant permission, requesting instead that the officers obtain a warrant.

29. On November 3, 2022, law enforcement obtained a warrant and arrested Plaintiff Sanderson and placed him in custody. Plaintiff Sanderson was then charged with one misdemeanor count of violating the Statute (i.e., "Fail To Comply With Halloween Related Restrictions For Sex Offenders - { Misdemeanor A RSMo: 589.426 }") in State v. Sanderson; St. Louis Co. Court Case No. 22SL-CR07753. On April 13, 2023, the St. Louis County Court convicted Plaintiff Sanderson of violating the Statute and sentenced him to 12 months of

unsupervised probation. Plaintiff is currently on probation and will remain on probation through April 12, 2024.

30. At no time has Plaintiff Sanderson been convicted of, investigated for, or otherwise accused of an offense against any person on or related to Halloween.

CLAIMS FOR RELIEF

I. First Claim for Relief

(42 U.S.C. § 1983 – First Amendment –

Sign Posting Requirement of MO Rev. Stat. § 589.426(1)(3))

31. Plaintiffs re-allege paragraphs 1 through 30 of this Complaint as though fully set forth herein.

32. The First Amendment to the United States Constitution prohibits state actors from enacting or enforcing any law “abridging the freedom of speech.” U.S. CONST. Amend. 1. The Freedom of Speech includes the right to avoid being compelled to speak a message that one does not wish to speak, whether false or truthful, accurate or inaccurate. E.g., Wooley v. Maynard, 430 U.S. 705, 714 (1977) (First Amendment protection “includes both the right to speak freely and the right to refrain from speaking at all.”). Halloween sign posting mandates are “classic examples” of unconstitutional compelled speech and have been struck down in every jurisdiction to consider them. McClendon v. Long, 22 F.4th 1330, 1337 (11th Cir. 2022).

33. In Doe v. City of Simi Valley, 2012 WL 12507598, at *7-9 (C.D. Cal. Oct. 29, 2012), the United States District Court for the Central District of California enjoined enforcement of a similar sign posting mandate imposed by a local city. The ordinance in question required Registrants to post signs on their front doors that read “No Candy or Treats at this Residence.” Id. at *1. The District Court issued a temporary restraining order against the

sign-posting mandate on the grounds that the sign “compels sex offenders to speak.” Id. at *7.

The Simi Valley court further found that a signs

pose[] a danger to sex offenders, their families and their property. . . . [I]ts function and effect is likely to approximate that of Hawthorne’s *Scarlet Letter* – . . . potentially subjecting them to dangerous mischief common on Halloween night and to community harassment in the weeks and months following[.]

City of Simi Valley, supra, 2012 WL 12507598, at *9.

34. In 2022, the United States Court of Appeals for the Eleventh Circuit reversed the District Court’s denial of an injunction against a sign posting made on First Amendment Grounds. McClendon v. Long, 22 F.4th 1330 (11th Cir. 2022). McClendon v. Long concerned a local Sheriff’s department practice of placing signs on the front lawns of Registrants’ homes stating “Stop – Warning! NO TRICK-OR-TREAT AT THIS ADDRESS! A COMMUNITY SAFETY MESSAGE FROM BUTTS COUNTY SHERIFF GARY LONG.” Id. at 1333. The Eleventh Circuit held that “The Sheriff’s warning signs are a classic example of compelled government speech.” Id. at 1337. The Eleventh Circuit further held that the signs failed strict scrutiny review, and were therefore unconstitutional, because “the Sheriff has not met his burden to show the yard signs were narrowly tailored, [] because he has not offered evidence that any of the yard signs would accomplish the compelling purpose of protecting children from sexual abuse.” Id. at 1338.

35. Further, the United States Court of Appeals for the Eighth Circuit has held that a law “impermissibly compels speech” when it forces a party to accept and publish “official denunciations” of themselves. Gralike v. Cook, 191 F.3d 911, 917-19 (8th Cir. 1999), aff’d on other grounds Cook v. Gralike, 531 U.S. 510 (2001). The same reasoning applies to the Sign Posting Mandate of the Statute, in that the Halloween Sign Posting Mandate compels Plaintiff,

his family, and all Registrants to use their own property as billboards for the government's false message that they pose a risk to children on Halloween.

36. Further, the Halloween Sign Posting Mandate of the Statute requires Plaintiff Sanderson and other Registrants – as well as their family members – to engage in speech with which they disagree, speech on a politically incendiary topic, speech that is false, speech that they do not wish to make, and speech that invites a serious risk of harm to themselves and to their families. This speech is compelled by requiring Registrants to post a specific sign on their residences, the content of which is prescribed by statute and heavily publicized by state and local government in Missouri, in a manner that advertises the Registrants' status as sex offenders to all neighbors and passersby. This sign effectively forces Registrants to communicate to the public the government's view that they and the other occupants of their residences are immediate threats to public safety, despite the complete absence of any evidence for this assertion. This false message encourages private individuals to confront, bully, harass, intimidate, and to otherwise take vigilante action against Registrants, who are generally forbidden to possess any means of self-defense (such as firearms) by virtue of their convictions.

37. The threats to Plaintiffs and others imposed by the Halloween Sign Posting Mandate are enhanced by the fact that Halloween evening is traditionally a time when significant numbers of people engage in mischievous and/or unlawful activity throughout the neighborhood, including acts of vandalism (i.e., "tricks") against residences that decline to participate in trick-or-treating by leaving exterior lights extinguished, eschewing seasonal decorations, and by taking other steps mandated by the Ordinance.

38. The threats to Plaintiff and others imposed by the Halloween Sign Posting Mandate are further enhanced by the media coverage that routinely accompanies the enactment

and enforcement of Halloween restrictions for sex offenders, which serves to inform the public that sign posting requirements are required only of Registrants, and that such signs are tantamount to declarations by the Registrant and by the State government that the occupants of the residence are Registrants who pose a significant risk to public safety. In fact, the State of Missouri's Halloween Sign Posting Mandate, along with the rest of the Statute, is routinely publicized in the State of Missouri and surrounding communities each year, including detailed reports of Registrants found to be in violation of the Statute.⁶

39. Defendants lack a sufficiently strong interest in compelling the speech of Plaintiff Sanderson through the Halloween Sign Posting Mandate.

40. The Halloween Sign Posting Mandate is not sufficiently related to achieving any legitimate interest that the State of Missouri purports to achieve by enforcing the Statute.

41. The Halloween Sign Posting Mandate is not sufficiently tailored to achieve any legitimate interest that the State of Missouri purports to achieve by enforcing the Statute.

42. The Halloween Sign Posting Mandate is not the least restrictive means of achieving any legitimate interest that the State of Missouri purports to achieve by enforcing the Statute.

⁶ See, e.g., Victoria Bordenga, "Missouri sex offenders face extra scrutiny on Halloween," Oct. 31, 2022, at <https://www.wgem.com/2022/10/31/missouri-sex-offenders-face-extra-scrutiny-halloween/> ("Missouri police are checking up on sex offenders to make sure your kids are safe while trick or treating this Halloween. 'Well it makes me feel safe,' Shelby County resident Muriah Schuman said. . . . Missouri state law prohibits any sex offender from handing out candy on Halloween. 'Knowing that they have to put a sign out or leave their lights off makes me feel a lot better about taking my kids out,' Schuman said."); Elyse Schoeing, "Police: Dozens of sex offender violations in St. Charles County on Halloween night: More than 100 registered sex offenders were checked Monday night throughout St. Charles County," Nov. 1, 2022, at <https://www.ksdk.com/article/news/local/sex-offender-violations-st-charles-county-halloween-night/63-16b325e9-25c8-4d2a-86a0-f18cfa2d00be> (noting that "Several police departments in St. Charles County found more than 25 sex offender violations on Halloween night after checking 161 registered sex offenders Monday night throughout the county.");

43. The Halloween Sign Posting Mandate is an arbitrary, politically motivated act imposed by a state government in response to popular sentiments, based upon misinformation, which imposes undeserved and unjustifiable harm upon a socially outcast minority.

44. The Halloween Sign Posting Mandate is therefore unconstitutional on First Amendment grounds.

II. Second Claim for Relief

(28 U.S.C. § 2201 – Declaratory Relief)

45. Plaintiffs re-allege paragraphs 1 through 42 of this Complaint as though fully set forth herein.

46. An actual controversy exists between Plaintiff Sanderson and Defendants regarding the constitutionality and enforceability of the Halloween Sign Posting Mandate of Missouri Revised Statute section 589.426, subd. (1)(3).

47. Plaintiff Sanderson is entitled to a declaration of rights regarding the Halloween Sign Posting Mandate of Missouri Revised Statute section 589.426, subd. (1)(3).

PRAYER FOR RELIEF

A. That Defendants be enjoined in perpetuity from enforcing the Halloween Sign Posting Mandate codified at Missouri Revised Statute section 589.426, subd. (1)(3), against Plaintiff Sanderson or any other person;

B. That the Halloween Sign Posting Mandate codified at Missouri Revised Statute section 589.426, subd. (1)(3), be declared null and void under the First Amendment to the United States Constitution;

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C. That Plaintiff recovers from the Defendants, under 42 U.S.C. Section 1988, all of Plaintiff's reasonable attorney's fees, costs and expenses of this litigation; and

D. That Plaintiff recover such other relief as the Court deems just and proper.

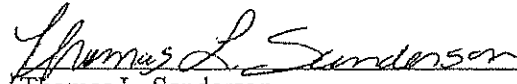
Dated: October 3, 2023

/s/ Matthew D. Fry
Matthew David Fry #57845MO
Attorney for Plaintiff
Rosenblum, Schwartz, Fry & Johnson
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St. Louis, Missouri 63105
(314) 862-4332
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VERIFICATION

I am the plaintiff in this action. The matters stated in the foregoing Complaint are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

Executed on 9/25/2023, in Hazelwood, Missouri. I declare under the penalty of perjury under the laws of the State of Missouri that the foregoing is true and correct.



Thomas L. Sanderson

EXHIBIT A

Mo. Rev. Stat. § 589.426

Universal Citation: MO Rev Stat § 589.426 (2022)

Effective - 28 Aug 2008

589.426. Halloween, restrictions on conduct — violations, penalty. —

1. Any person required to register as a sexual offender under sections 589.400 to 589.425 shall be required on October thirty-first of each year to:

- (1) Avoid all Halloween-related contact with children;
- (2) Remain inside his or her residence between the hours of 5 p.m. and 10:30 p.m. unless required to be elsewhere for just cause, including but not limited to employment or medical emergencies;
- (3) Post a sign at his or her residence stating, "No candy or treats at this residence"; and
- (4) Leave all outside residential lighting off during the evening hours after 5 p.m.

2. Any person required to register as a sexual offender under sections 589.400 to 589.425 who violates the provisions of subsection 1 of this section shall be guilty of a class A misdemeanor.

EXHIBIT B



Sexual Abuse



Friday, October 4, 2019

Halloween and sexual abuse prevention: The mythical "Halloween effect"

A statement from the Association for the Treatment of Sexual Abusers.

As October arrives and families begin preparing for Halloween, it is always a priority to ensure children's safety during this holiday. It is important to learn the facts and know the risks to your child during this festive time. A heightened risk of being sexually abused is NOT one of the dangers children face at Halloween.

The simple fact is that there are no significant increases in sex crimes on or around Halloween. There is no "Halloween effect." There is no change in the rate of sexual crimes by non-family members during Halloween. That was true both before and after communities enacted laws to restrict the activities of registrants during Halloween.

The crimes that do increase around Halloween are vandalism and property destruction, as well as theft, assault, and burglary. In addition, according to the Centers for Disease Control, children are four times more likely to be killed by a pedestrian/motor-vehicle accident on Halloween than on any other day of the year.

Fully 93% of sexual assaults on children are perpetrated by someone known to, and trusted by, the child and the child's family. But due to the myths regarding child sexual abuse that focus on "stranger danger," communities and lawmakers often endorse policies that do little to prevent sexual abuse and instead unnecessarily stretch limited law enforcement resources.

Jurisdictions that ban individuals on sex offender registries from participating in any Halloween activities, require registrants to post signs in their yards during Halloween, or round up registrants for the duration of trick-or-treating do not make children safer. Instead, these approaches create a false sense of safety while using law enforcement resources that could be better spent protecting children against the higher risk they do face during Halloween – injury or death from motor vehicles.

Child sexual abuse is a serious public health issue that faces all communities. Although the prevalence of child sexual abuse can be difficult to determine due to under-reporting, researchers estimate that one in four girls and one in six boys will be victims of sexual abuse before age 18.

For concerned parents, the best way to protect children from sexual abuse is to know the facts about sexual offending and take precautions based on facts, not fears. Parents can visit www.atsa.com to learn more about sexual abuse and prevention.

For more research and analysis on this topic please see a previous blog by Jill Levenson called "Halloween & Sex Crime: Myth vs. Reality" – Kieran

SAJRT Blog at [5:46 AM](#)

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JS 44 (Rev. 04/21)

CIVIL COVER SHEET

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 NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS THOMAS L. SANDERSON an individual</p> <p>(b) County of Residence of First Listed Plaintiff <u>St. Louis County, MO</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) Matthew D. Fry #57845MO 120 S. Central Ave. Suite 130 St. Louis, MO 63105 (314) 862-4332</p>	<p>DEFENDANTS ANDREW BAILEY, in his official capacity as Attorney General of the State of Missouri; and JAMES HUDANICK, in his official capacity as Chief of Police of the city of Hazelwood, Missouri County of Residence of First Listed Defendant <u>St. Louis County, MO</u> (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table style="width:100%;"> <tr> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>	PTF	DEF		PTF	DEF	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Citizen of This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Citizen of Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 6	<input type="checkbox"/> 6
PTF	DEF		PTF	DEF																	
<input type="checkbox"/> 1	<input type="checkbox"/> 1	Citizen of This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																	
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<input type="checkbox"/> 3	<input type="checkbox"/> 3	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 6	<input type="checkbox"/> 6																	

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

<input type="checkbox"/> CONTRACT	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> TORTS	<input type="checkbox"/> FORFEITURE/PENALTY	<input type="checkbox"/> LABOR	<input type="checkbox"/> LABOR	<input type="checkbox"/> BANKRUPTCY	<input type="checkbox"/> OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 770 Other Labor Litigation	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 440 State Reapportionment	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 790 Other Labor Litigation		<input type="checkbox"/> 424 Intellectual Property Rights	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability			<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury			<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice			<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 890 Other Statutory Actions
				<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 891 Agricultural Acts
				<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 893 Environmental Matters
				<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
				<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 871 IRS—Third Party	<input type="checkbox"/> 896 Arbitration
				<input type="checkbox"/> 791 Employee Retirement Income Security Act		<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
				<input type="checkbox"/> 791 Employee Retirement Income Security Act			<input checked="" type="checkbox"/> 950 Constitutionality of State Statutes

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

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation - Transfer 8 Multidistrict Litigation - Direct File

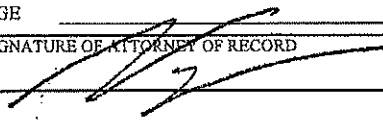
VI. CAUSE OF ACTION

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

Brief description of cause:
Violation of the United States Constitution, Amendment 1, the Freedom of Speech

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

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

DATE: October 3, 2023 SIGNATURE OF ATTORNEY OF RECORD: 

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

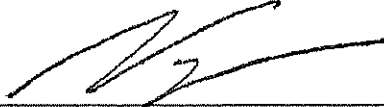
The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

MOED-0001 DISCLOSURE STATEMENT

By signing this form, counsel acknowledges that "if any required information changes," and/or "if any later event occurs that could affect the court's jurisdiction under 28 U.S.C. § 1332(a)," counsel will file a Disclosure Statement promptly, and no later than seven (7) days of the change or event. EDMO L.R. 2.09(C); see also Fed. R. Civ. P. 7.1(a)(2)(B) and 7.1(b)(2).



Signature (Counsel for Plaintiff/Defendant)
Print Name: Matthew D. Fry
Address: 120 S. Central Ave. Ste. 130
City/State/Zip: St. Louis, MO 63105
Phone: (314) 862-4332

Certificate of Service

I hereby certify that a true copy of the foregoing Disclosure Statement was served (by mail, by hand delivery, or by electronic notice) on all parties on:

October 3, 2023.



Signature

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

THOMAS L. SANDERSON, an individual

Plaintiff

v.

ANDREW BAILEY, in his official capacity as Attorney General of the State of Missouri, et al.

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) ANDREW BAILEY in his official capacity as Attorney General of the State of Missouri 815 Olive Street St. Louis, MO 63101

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are: Matthew D. Fry Rosenblum, Schwartz, Fry & Johnson 120 S. Central Ave., Ste. 130 St. Louis, Missouri 63105

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

THOMAS L. SANDERSON, an individual

Plaintiff

v.

ANDREW BAILEY, in his official capacity as Attorney General of the State of Missouri, et al.

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) JAMES HUDANICK in his official capacity as Chief of Police of the city of Hazelwood, Missouri Hazelwood Police Department 415 Elm Grove Lane Hazelwood, MO 63042

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are: Matthew D. Fry Rosenblum, Schwartz, Fry & Johnson 120 S. Central Ave., Ste. 130 St. Louis, Missouri 63105

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

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I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

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designated by law to accept service of process on behalf of *(name of organization)* _____
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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Thomas L. Sanderson

_____,)
Plaintiff (s),)
)
v.) Case No.
)
Andrew Bailey, et al.)
_____,)
Defendant(s).)

NOTICE OF INTENT TO USE
PROCESS SERVER

Plaintiff
Comes now Thomas L. Sanderson and notifies the court of the intent to use
(Plaintiff or Defendant)

Robert Thomure, Metro One Investigations

(name and address of process server)

PO Box 23008

St. Louis, MO 63156

To serve: Andrew Bailey and James Hudanick in the
(name of defendants to be served by this process server)

above-styled cause. The process server listed above possesses the
requirements as stated in Rule 4 of the Federal Rules of Civil Procedure.

The undersigned affirms the information provided above is true and correct.

10/03/2023

(date)

Matthew D. Fry

(attorney for Plaintiff)


(attorney for Defendant)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Thomas L. Sanderson

_____,)
Plaintiff (s),)
)
v.) Case No.
)
Andrew Bailey, et al.)
_____,)
Defendant(s).)

NOTICE OF INTENT TO USE
PROCESS SERVER

Plaintiff
Comes now Thomas L. Sanderson and notifies the court of the intent to use
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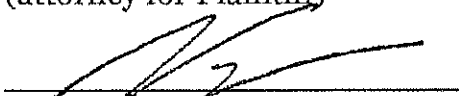
The undersigned affirms the information provided above is true and correct.

10/03/2023

(date)

Matthew D. Fry

(attorney for Plaintiff)


(attorney for Defendant)