

**IN THE CIRCUIT COURT OF COLE COUNTY
STATE OF MISSOURI**

**MO STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF
COLORED PEOPLE, et. al.**

Plaintiffs,

v.

MIKE KEHOE et.al.

Defendants

Case No. 25AC-CC06724

MOTION FOR EXPEDITED RULING ON THE MERITS OF CONSTITUTIONAL CLAIMS

COMES NOW Plaintiffs, by and through undersigned counsel, and respectfully move this Court for an expedited ruling on the merits of their constitutional claims challenging the Governor's extraordinary session proclamation, and in support thereof state:

I. BACKGROUND AND PROCEDURAL POSTURE

1. This case presents constitutional questions of first impression regarding the Governor's authority under Article IV, Section 9 of the Missouri Constitution to convene an extraordinary legislative session.
2. Following procedural delays and arguments begging for additional delay raised by the Missouri Attorney General, this Court conducted a hearing on September 15, 2025.
3. Both parties have now fully articulated their positions through comprehensive briefing and oral argument.
4. The constitutional issues presented are ripe for judicial determination and require no further factual development.

II. LEGAL BASIS FOR EXPEDITED RULING

5. Certainty of an appeal regardless of outcome is guaranteed. No matter how this Court rules on the constitutional questions presented, the losing party will seek appellate review. If

Plaintiffs' constitutional challenge is denied, Plaintiffs will appeal. If Plaintiffs prevail, the Missouri Attorney General will appeal. The parties and affected citizens would be well served by an expedited decision.

6. Ongoing irreparable harm is growing. The uncertainty surrounding the constitutional validity of the Governor's proclamation and the legislation passed thereunder continues to cause irreparable harm to Plaintiffs and Missouri citizens in various forms, including:

- Uncertainty regarding congressional district boundaries;
- Confusion over ballot initiatives and voting procedures; and
- Continued taxpayer burden from the questionable legislative session and cost of litigation to defend the actions of the legislature.

7. Questions suitable for immediate resolution can be resolved now. The constitutional issues presented are pure questions of law that do not require additional evidence or factual development.

III. PUBLIC INTEREST IN PROMPT RESOLUTION

8. These constitutional questions affect fundamental democratic processes and voting rights that demand prompt judicial resolution.

9. Continued delay in resolving the constitutional validity of the extraordinary session and resulting legislation creates ongoing uncertainty for Missouri voters, candidates, and election officials.

10. The separation of powers issues presented require clear judicial guidance to prevent future constitutional violations.

IV. REQUEST FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

A. Grant this Motion for Expedited Ruling on the Merits;

B. Issue a final ruling on the questions presented regarding the Governor's authority under Article IV, Section 9 of the Missouri Constitution;

C. Declare that the Governor's August 29, 2025 proclamation exceeded his constitutional authority;

D. Enjoin implementation of legislation passed pursuant to the constitutionally invalid proclamation; and

E. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Nimrod T. Chapel, Jr.

Nimrod T. Chapel, Jr. #46875

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 1st day of October 2025, the foregoing was filed via the Missouri eFiling System and that a copy of the same was thus served via the electronic filing system in

accordance with Supreme Court Rules.

/s/Nimrod T. Chapel, Jr
Attorney for Plaintiffs