

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

TERRENCE WISE, et al.,

Plaintiffs,

v.

STATE OF MISSOURI, et al.,

Defendants.

Case No. 2516-CV29597 (LEAD CASE)

Division 15

ELIZABETH HEALEY, et al.,

Plaintiffs,

v.

STATE OF MISSOURI, et al.,

Defendants.

Case No. 2516-CV31273

Division 15

**ANSWER AND AFFIRMATIVE DEFENSES OF STATE DEFENDANTS TO  
HEALEY PLAINTIFFS' PETITION FOR DECLARATORY JUDGMENT AND  
INJUNCTIVE RELIEF**

Defendants, the State of Missouri and Missouri Secretary of State Denny Hoskins, in his official capacity, (collectively, "State Defendants") respectfully file their Answer and Affirmative Defenses to the Healey Petition for Declaratory Judgment and Injunctive Relief.

**ANSWER**

Pursuant to Section 509.260, RSMo, State Defendants deny each and every allegation in Plaintiffs' Petition for Declaratory Judgment and Injunctive Relief except for those expressly admitted here; this includes any allegation made in any

header, footnote, or non-numbered paragraph of the petition. The headings and paragraphs below correlate to the sections and numbered paragraphs of Plaintiffs' Petition for Declaratory Judgment and Injunctive Relief. Titles that are reproduced in this answer are included for organizational purposes only, and State Defendants do not admit any matter contained in reproduced titles. State Defendants deny that Plaintiffs have alleged any lawful claim against them.

For further response, State Defendants answer as follows:

### **INTRODUCTION**

1. The allegations in Paragraph 1 describe the contents of the Missouri Constitution, which speaks for itself. State Defendants deny any allegation inconsistent therewith. Paragraph 1 also contains legal conclusions that require no response. To the extent any response is required, State Defendants deny the allegations in Paragraph 1.

2. Paragraph 2 includes a purported quote from a recent Speaker of the House. State Defendants lack sufficient information to form a belief as to the truth or falsity of this allegation and therefore deny it. The remaining allegations in Paragraph 2 either quote a published judicial opinion, which speaks for itself, or constitute a legal conclusion that requires not response. To the extent any response is required, State Defendants deny the allegations in Paragraph 2.

3. State Defendants admit that the Missouri General Assembly enacted a new congressional map during the Second Extraordinary Session. State Defendants deny all other allegations in Paragraph 3.

4. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations related to former Governor Mike Parson in Paragraph 4 and therefore deny them. State Defendants deny all other allegations in Paragraph 4.

5. State Defendants deny the allegations in Paragraph 5.

6. The allegations in Paragraph 6 consist of legal conclusions that require no response. To the extent any response is required, State Defendants deny that Plaintiffs have alleged a lawful claim or are entitled to declaratory and injunctive relief. State Defendants deny all other allegations in Paragraph 6.

**JURISDICTION AND VENUE**

7. The allegations in Paragraph 7 consist of legal conclusions requiring no response. To the extent any response is required, State Defendants deny the allegations in Paragraph 7.

8. The allegations in Paragraph 8 consist of legal conclusions requiring no response. To the extent any response is required, State Defendants deny the allegations in Paragraph 8.

9. The allegations in Paragraph 9 consist of legal conclusions requiring no response. To the extent any response is required, State Defendants deny that venue is proper. State Defendants deny all other allegations in Paragraph 9.

**PARTIES**

10. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 10 and therefore deny them.

11. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 11 and therefore deny them.

12. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 12 and therefore deny them.

13. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 13 and therefore deny them.

14. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 14 and therefore deny them.

15. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 15 and therefore deny them.

16. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 16 and therefore deny them.

17. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 17 and therefore deny them.

18. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 18 and therefore deny them.

19. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 19 and therefore deny them.

20. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 20 and therefore deny them.

21. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 21 and therefore deny them.

22. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 22 and therefore deny them.

23. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 23 and therefore deny them.

24. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 24 and therefore deny them.

25. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 25 and therefore deny them.

26. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 26 and therefore deny them.

27. The allegations in Paragraph 27 consist of legal conclusions to which no response is required. To the extent further response is required, State Defendants deny the allegations in Paragraph 27.

28. State Defendants admit that Defendant Denny Hoskins is the Missouri Secretary of State and that he is sued in official capacity. The remaining allegations in Paragraph 28 either describe the contents of statutes, which speaks for themselves, or constitute legal conclusions that require no response. To the extent any response is required, State Defendants deny any allegation inconsistent therewith.

29. State Defendants admit that the Jackson County Board of Election Commissioners (“JCEB”) is the local election authority for Jackson County excluding the municipality of Kansas City. State Defendants further admit that the JCEB’s principal office is located in Independence, Missouri. The remaining allegations in Paragraph 29 describe the contents of statutes, which speaks for themselves, or constitute legal conclusions that require no response. To the extent any response is required, State Defendants deny any allegation inconsistent therewith.

30. State Defendants admit that Defendants Michael K. Whitehead, Henry R. Carner, Colleen M. Scott, and Lyle K. Querry are commissioners with the JCEB and are sued in their official capacity, but State Defendants deny that they are proper defendants. State Defendants deny all other allegations in Paragraph 30.

31. State Defendants admit that Defendants Tammy Brown and Sara Zorich are directors with the JCEB and that they are sued in their official capacity, but State Defendants deny that they are proper defendants. State Defendants deny all other allegations in Paragraph 31.

32. State Defendants admit that the Kansas City Board of Election Commissioners (“KCEB”) is the local election authority for the municipality of Kansas City. State Defendants further admit that the KCEB’s principal office is located in Kansas City, Missouri. The remaining allegations in Paragraph 32 describe the contents of statutes, which speaks for themselves, or constitute legal conclusions that require no response. To the extent any response is required, State Defendants deny any allegation inconsistent therewith.

33. State Defendants admit that Defendants Sarah Miller, Sharon Turner Buie, and Ralph F. Munyan II are commissioners of the KCEB and are sued in their official capacity, but State Defendants deny that they are proper defendants. State Defendants deny all other allegations in Paragraph 33.

34. State Defendants admit that Defendants Shawn Kieffer and Lauri Ealom are directors of the KCEB and that they are sued in their official capacity, but State Defendants deny that they are proper defendants. State Defendants deny all other allegations in Paragraph 34.

## **BACKGROUND**

### **I.**

35. The allegations in Paragraph 35 either describe the contents of the Missouri Constitution, which speaks for itself, or constitute legal conclusions that require no response. To the extent any response is required, State Defendants deny any allegations inconsistent therewith.

36. State Defendants admit the allegations in Paragraph 36.

37. State Defendants admit that at some point after the U.S. Census Bureau released and certified the 2020 census, the General Assembly took up the issue of congressional redistricting. State Defendants deny all other allegations in Paragraph 37.

38. State Defendants admit that in December 2021, the House and Senate Redistricting Committees jointly proposed a congressional map. State Defendants deny all other allegations in Paragraph 38.

39. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 39 and therefore deny them.

40. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 40 and therefore deny them.

41. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 41 and therefore deny them.

42. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 42 and therefore deny them.

43. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 43 and therefore deny them.

44. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 44 and therefore deny them.

45. State Defendants admit that the General Assembly passed a truly agreed upon map in May 2022. State Defendants lack sufficient information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 45 and therefore deny them.

46. State Defendants admit that Governor Mike Parson signed H.B. 2909 into law in May 2022. State Defendants lack sufficient information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 46 and therefore deny them.

47. State Defendants admit the allegations in Paragraph 47.

48. State Defendants admit the allegations in Paragraph 48.

## II.

49. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 49 and therefore deny them.

50. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 50 and therefore deny them.

51. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 51 and therefore deny them.

52. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 52 and therefore deny them.

53. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 53 and therefore deny them.

54. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 54 and therefore deny them.

55. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 55 and therefore deny them.

56. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 56 and therefore deny them.

57. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 57 and therefore deny them.

58. State Defendants admit that Governor Kehoe issued a Proclamation calling a special session of the General Assembly on August 29, 2025. State Defendants further admit that the proclamation identified congressional redistricting as one of the reason for calling the extraordinary session. State Defendants deny all other allegations in Paragraph 58.

59. The allegations in Paragraph 59 describe the contents of the Proclamation, which speaks for itself. State Defendants deny any allegations inconsistent therewith.

60. State Defendants admit the allegations in Paragraph 60.

61. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 61 and therefore deny them.

62. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 62 and therefore deny them.

63. State Defendants admit that the Second Special Session began on September 3, 2025. State Defendants further admit that Rep. Dirk Deaton introduced H.B. 1. State Defendants lack sufficient information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 62 and therefore deny them.

64. State Defendants admit that the House Special Committee on Redistricting held a public hearing on H.B. 1 September 4, 2025. State Defendants lack sufficient information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 64 and therefore deny them.

65. State Defendants admit that the House Legislative Rules Committee held a hearing on H.B. 1 on September 5, 2025. State Defendants lack sufficient information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 65 and therefore deny them.

66. State Defendants admit that the floor debate on H.B. 1 began on September 8, 2025. State Defendants deny the remaining allegations in Paragraph 66.

67. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 67 and therefore deny them.

68. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 68 and therefore deny them.

69. State Defendants admit that on September 9, 2025, the Missouri House passed H.B. 1. State Defendants lack sufficient information to form a belief as to the

truth or falsity of the remaining allegations in Paragraph 69 and therefore deny them.

70. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 70 and therefore deny them.

71. State Defendants admit that the Missouri Senate took up House Bill 1 on September 10, 2025. State Defendants deny all other allegations in Paragraph 71.

72. State Defendants admit that the Senate Committee on Local Government, Elections, and Pensions held a hearing on September 11, 2025. State Defendants lack sufficient information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 72 and therefore deny them.

73. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 73 and therefore deny them.

74. State Defendants admit that on September 12, 2025, the Missouri Senate passed H.B. 1. State Defendants lack sufficient information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 74 and therefore deny them.

75. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 75 and therefore deny them.

76. State Defendants admit the allegations in Paragraph 76.

77. State Defendants admit the allegations in Paragraph 77.

III.

- 78. State Defendants deny the allegations in Paragraph 78.
- 79. State Defendants deny the allegations in Paragraph 79.
- 80. State Defendants deny the allegations in Paragraph 80.
- 81. State Defendants deny the allegations in Paragraph 81.
- 82. State Defendants deny the allegations in Paragraph 82.
- 83. State Defendants deny the allegations in Paragraph 83.
- 84. State Defendants deny the allegations in Paragraph 84.
- 85. State Defendants deny the allegations in Paragraph 85.
- 86. State Defendants deny the allegations in Paragraph 86.
- 87. State Defendants deny the allegations in Paragraph 87.
- 88. State Defendants deny the allegations in Paragraph 88.
- 89. State Defendants deny the allegations in Paragraph 89.
- 90. The allegations in Paragraph 90 contain legal conclusions requiring no response. To the extent any response is required, State Defendants deny the allegations in Paragraph 90. State Defendants further deny the allegations in Footnote 1.
- 91. State Defendants lack sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 91 and therefore deny them.

**CLAIMS FOR RELIEF**

**COUNT I**

**Violation of Article III, Section 45 of the Missouri Constitution  
Unconstitutional Mid-Cycle Redistricting**

92. State Defendants incorporate all responses to Paragraphs 1–91 by reference, and deny any material contained in any footnote, header, or non-numbered paragraphs throughout the Petition.

93. The allegations in Paragraph 93 describe the contents of the Missouri Constitution, which speaks for itself, or constitute legal conclusions that require no response. To the extent that a response is required, State Defendants deny any allegations inconsistent therewith.

94. The allegations in Paragraph 94 quote a published judicial opinion, which speaks for itself, or constitute legal conclusions that require no response. To the extent that a response is required, State Defendants deny the allegations in Paragraph 94.

95. The allegations in Paragraph 95 describe the contents of the Missouri Constitution, which speaks for itself, or constitute legal conclusions that require no response. To the extent that a response is required, State Defendants deny the allegations in Paragraph 95.

96. The allegations in Paragraph 96 quote a published judicial opinion, which speaks for itself, or constitute legal conclusions that require no response. To

the extent that a response is required, State Defendants deny the allegations in Paragraph 96.

97. State Defendants admit the allegations in Paragraph 97.

98. State Defendants admit that in 2025, the Missouri General Assembly enacted a new congressional map based upon data from the 2020 Census. State Defendants deny all other allegations in Paragraph 98.

99. State Defendants deny the allegations in Paragraph 99.

100. State Defendants deny the allegations in Paragraph 100.

101. State Defendants admit that Plaintiffs seek declaratory judgment but deny that Plaintiffs are entitled to such relief. State Defendants deny all other allegations in Paragraph 101.

102. State Defendants admit that Plaintiffs seek a permanent injunction but deny that Plaintiffs are entitled to such relief. State Defendants deny all other allegations in Paragraph 102.

103. State Defendants deny the allegations in Paragraph 103.

104. State Defendants deny the allegations in Paragraph 104.

**COUNT II**

***Violation of Article III, Section 45 of the Missouri Constitution  
Non-compactness***

105. State Defendants incorporate all responses to Paragraphs 1–104 by reference, and deny any material contained in any footnote, header, or non-numbered paragraphs throughout the Petition.

106. The allegations in Paragraph 106 describe the contents of the Missouri Constitution, which speaks for itself, or constitute legal conclusions that require no response. To the extent a response is required, State Defendants deny any allegation inconsistent therewith.

107. The allegations in Paragraph 107 quote a published judicial opinion, which speaks for itself, or constitute legal conclusions that require no response. To the extent a response is required, State Defendants deny the allegations in Paragraph 107.

108. The allegations in Paragraph 108 quote a published judicial opinion, which speaks for itself, or constitute legal conclusions that require no response. To the extent a response is required, State Defendants deny the allegations in Paragraph 108.

109. The allegations in Paragraph 109 quote a published judicial opinion, which speaks for itself, or constitute legal conclusions that require no response. To the extent a response is required, State Defendants deny the allegations in Paragraph 109.

110. The allegations in Paragraph 110 quote a published judicial opinion, which speaks for itself, or are legal conclusions that require no response. To the extent a response is required, State Defendants deny the allegations in Paragraph 110.

111. State Defendants deny the allegations in Paragraph 111.

112. State Defendants deny the allegations in Paragraph 112.

113. State Defendants deny the allegations in Paragraph 113.

114. State Defendants deny the allegations in Paragraph 114.

115. State Defendants deny the allegations in Paragraph 115.

116. State Defendants admit that Plaintiffs seek declaratory judgment but deny that Plaintiffs are entitled to such relief. State Defendants deny all other allegations in Paragraph 116.

117. State Defendants admit that Plaintiffs seek a permanent injunction but deny that Plaintiffs are entitled to such relief. State Defendants deny all other allegations in Paragraph 117.

118. State Defendants deny the allegations in Paragraph 118.

119. State Defendants deny the allegations in Paragraph 119.

### **PRAYER FOR RELIEF**

A. No response is required as this prayer for relief contains no allegations of fact or law. To the extent this paragraph may contain legal conclusions, those conclusions require no response. To the extent a response is required, State Defendants deny that Plaintiffs are entitled to the relief requested.

B. No response is required as this prayer for relief contains no allegations of fact or law. To the extent this paragraph may contain legal conclusions, those conclusions require no response. To the extent a response is required, State Defendants deny that Plaintiffs are entitled to the relief requested.

C. No response is required as this prayer for relief contains no allegations of fact or law. To the extent this paragraph may contain legal conclusions, those conclusions require no response. To the extent a response is required, State Defendants deny that Plaintiffs are entitled to the relief requested.

D. No response is required as this prayer for relief contains no allegations of fact or law. To the extent this paragraph may contain legal conclusions, those conclusions require no response. To the extent a response is required, State Defendants deny that Plaintiffs are entitled to the relief requested.

### **GENERAL DENIAL OF CLAIMS**

1. State Defendants deny all allegations made in any header, footnote, or non-numbered paragraph of the petition, and deny that Plaintiffs have alleged any lawful claim against the State and its officers.

### **AFFIRMATIVE DEFENSES**

1. Plaintiffs have failed to state a claim as a matter of law.
2. Plaintiffs have shown no individual harm and thus have no interest, aside from a purely conjectural interest, in the claims and therefore have no standing to bring the action.
3. Plaintiffs cannot overcome the sovereign or official immunity bars, and Defendants have not waived their immunity from suit.

4. Neither local defendant can provide Plaintiffs with effective relief. Their inclusion in the lawsuit is pretensive; hence, this Court lacks jurisdiction because venue in Jackson County is not proper.

5. This Petition raises political questions over which this Court lacks jurisdiction.

6. The Petition raises nonjusticiable questions that this Court has no jurisdiction to address.

7. To the extent federal law claims are asserted, this Court is without jurisdiction to rule upon federal law claims regarding redistricting of congressional districts.

8. State Defendants reserve the right to assert any additional defenses that may become apparent as the litigation progresses.

WHEREFORE, having fully answered, State Defendants move this Court for dismissal of the Petition, that Plaintiffs take nothing thereby, and that State Defendants be awarded the costs and expenses incurred in the action, including attorney fees, and for such other and further relief as is just and proper.

Date: December 22, 2025

Respectfully submitted,

**CATHERINE L. HANAWAY**  
**ATTORNEY GENERAL**

/s/ Louis J. Capozzi, III  
Louis J. Capozzi III, #77756  
*Solicitor General*

Kathleen Hunker, *admitted pro hac vice*  
*Principal Deputy Solicitor General*

Graham D. Miller, #77656

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*Counsel for State Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that, on December 22, 2025, the foregoing was filed electronically through the Court's electronic filing system to be served electronically on all counsel of record.

/s/ Louis J. Capozzi

Louis J. Capozzi III