



JACKSON COUNTY

Property Account Summary

Account No.: 29-740-31-21-00-0-00-000      Alternate Property Number: 3827678  
 Account Type: Real Property      Primary Host Property  
 TCA: 001  
 Situs Address: 3442 WABASH AVE  
 KANSAS CITY MO 64109  
 Legal: COMMONWEALTH ADD S 41' OF LOT 24 & E 1/2 VAC ALLEY LY W OF & ADJ

Parties:

| Role     | Name & Address  |
|----------|---|
| Owner    | METROPOLITAN COMMUNITY & ECONOMIC DEV CO<br>2310 E LINWOOD BLVD<br>KANSAS CITY MO 64109 |
| Taxpayer | METROPOLITAN COMMUNITY & ECONOMIC DEV CO<br>2310 E LINWOOD BLVD<br>KANSAS CITY MO 64109 |

Property Values:

| Value Name           | 2015     | 2014     | 2013     |
|----------------------|----------|----------|----------|
| Market Value Total   | \$26,461 | \$26,461 | \$26,461 |
| Taxable Value Total  | \$5,028  | \$5,028  | \$5,028  |
| Assessed Value Total | \$5,028  | \$5,028  | \$5,028  |

Property Characteristics:

| Tax Year | Characteristic | Value |
|----------|----------------|-------|
| 2015     | Property Class | 1010  |

Exemptions:

(End of Report)

CITY OF FOUNTAINS  
HEART OF THE NATION



KANSAS CITY  
MISSOURI

# Human Relations Department

4<sup>th</sup> Floor, City Hall  
414 East 12<sup>th</sup> Street  
Kansas City, Missouri 64106

(816) 513-1836

April 18, 2018

Nicole Davis-Dace  
3918 Wabash  
Kansas City, MO 64130

Dear Nicole Davis-Dace:

A preliminary investigation has been completed in the case of:

**Nicole Davis-Dace**                      **Complainant**

v.

**Fantasy Homes/Metropolitan Community/Swope Builders**                      **Respondent**

**HUD CASE #07-16-4452-8    KCHRD CASE #H16-019**

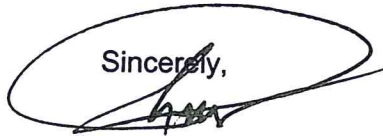
As Director of the Department of Human Relations, I have rendered a Determination of **No Cause**.

*From previous decisions I had grounds to sue.*

Let me take this opportunity to again call to your attention those provisions of the Code of General Ordinances of the City of Kansas City, Missouri (Chapter 38) of which you have been furnished a copy. I am sure that you too are concerned about and committed to efforts to ensure that every citizen regardless of race, color, religion, sex, disability, sexual orientation, national origin and gender identity has equal opportunity in housing.

If you have any questions or if, in the future, you have a situation with which we might be able to help, I hope that you will call upon the Department of Human Relations.

Sincerely,



Phillip Yelder  
Human Relations Department  
City of Kansas City, Missouri

**CERTIFIED MAIL**

7017 2400 0000 6582 6743

# City Council OKs redistricting plan

By Will Englund

The City Council last night approved a redistricting plan supported by an unlikely alliance of all six black Council members, one white liberal and two white conservatives from East Baltimore. **MAR 25 1983**

The plan — unchanged from what had been put forward in a preliminary vote Monday — would increase the number of black residents in Northwest Baltimore's 5th District, with the aim of getting more black representatives onto the Council in next fall's elections. Currently the district is represented by one black and two whites. **SUN**

It differs from a plan proposed by Mayor Schaefer in that a part of all-white Hampden would not be joined to that district. Also, an integrated neighborhood near Memorial Stadium would remain in Northeast Baltimore's 3d District, instead of being shifted to the neighboring 2d, and a part of Parkside would be moved from the 3d to East Baltimore's 1st.

In winning approval for their plan by one vote last night, the members of the alliance voted down four minor changes in boundaries sought by various neighborhoods that would otherwise be split between districts.

If any amendment had been approved, the entire plan then would have had to wait for another Council meeting before passage. The fragile coalition — which saw its numbers reduced from 10 Monday to a minimum 9 last night — would most likely not have held together over the weekend, its members agreed.

Some Council members, including Mary Pat Clarke (2d) and Iris Reeves (5th), had voiced support for those changes as late as yesterday morning, but were then persuaded to put aside the neighborhoods' concerns.

Frank X. Gallagher (3d), who opposed the alliance's plan, accused its members of putting expediency above the needs of community groups. **MAR 25 1983**

Mrs. Clarke, Mrs. Reeves, Kweise Mfume (4th) and others said they were instead sacrificing the affected neighborhoods for the good of the city as a whole. **SUN**

Neither Mayor Schaefer's plan nor

the new plan varies greatly from the current lines, but both black and white members contended that the small differences in racial makeup — none varying by more than 2 percent for each district from one plan to the next — could be crucial in the upcoming elections. **MAR 25 1983**

The real battle, ever since the mayor's plan was introduced in late January, was over two election precincts in Hampden that vote heavily and are all-white. They are now in the virtually all-black 4th District, and the mayor's proposal would put them in the 5th. **SUN**

"I did not want to see an opportunity for us to lose at least the one [black] seat we now hold" in the 5th, Mrs. Reeves said.

"That's an area I'd like to have in the district," said her colleague, Thomas J. S. Waxter, Jr. "I'd be crazy if I didn't." **SUN**

Both Mr. Waxter and Rochelle (Rikki) Spector, the third member from the 5th District, fought for those two precincts, which would have made the district 38 percent white instead of 36 percent. **MAR 25 1983**

On Monday, however, the delicate alliance voted to keep that part of Hampden in the 4th. The three 1st District Council members went along when offered the amendment moving Parkside into their district.

Since Monday, there has been furious lobbying and conferring. Yesterday morning, the Council held an unusual "work session" to discuss its differences. Mrs. Reeves said she wanted to move 29 homes on Nottingham road so that all of Ten Hills, on the western edge of the city, would be together. Mrs. Clarke suggested taking Hampden into the 2d, and moving all of Reservoir Hill — which is now split — into the 4th in return.

An amendment to that effect was drawn up later yesterday and passed out to Council members, then taken back just before the meeting began.

The meeting did not convene at 5 p.m. as scheduled, because the alliance members felt their unity loosening. Donald G. Hammen (1st) wanted to allow more amendments, and Mrs. Clarke appeared to be torn by her commitment to Ten Hills and her swap of Reservoir Hill for Hampden.

Finally, after considerable huddling on the Council floor, the 10 al-

liance members repaired behind the closed doors of a side room. When they emerged 20 minutes later, nine of their votes — all but Mr. Hammen's — were intact.

"I have been asked to unmake a commitment that I have made, and I have never done that," Mrs. Clarke said. "And I'm going to do it." **SUN**

The nine members who voted in favor of the plan were John A. Schaefer and Dominic Mimi DiPietro (1st); Nathaniel McFadden, Edwin Johnson and Mrs. Clarke (2d); Victorine Q. Adams, Michael B. Mitchell and Mr. Mfume (4th), and Mrs. Reeves (5th). **MAR 25 1983**

The plan now needs only Mayor Schaefer's signature to become official.

Greetings Chairman Poone,

My name is Nicole R Davis I moved here from Kansas City Due to Domestic violence and I was a voucher holder for over 20 years and Always complied with Federal Regulations pertaining to housing. So it is unfair that Housing Commission and Landlords are not held to same standards. Example being presented today is that Court ordered for Landlord to accept my payment of \$137.00 and be upheld by Sheriff However seeing they knew each other the Sheriff did not uphold the law and my landlord broke several laws by sending my payments back that were dated for the 31st of each month and taking me to court saying I was late even came after me for section 8 arrears. Now currently forced back into a Domestic violence situation to prevent being homeless. My child has been subjected to violence etc. Recently got into a accident with my estrange husband who was drinking and driver. What is the justice in being a successful recipient

BENJAMIN L. CARDIN  
MARYLAND

[www.cardin.senate.gov](http://www.cardin.senate.gov)

509 HART BUILDING  
WASHINGTON, DC 20510-2004  
(202) 224-4524

TOWER 1, SUITE 1710  
100 S. CHARLES STREET  
BALTIMORE, MD 21201  
(410) 962-4436

## United States Senate

September 16, 2015

COMMITTEES:  
ENVIRONMENT AND PUBLIC WORKS  
FINANCE  
FOREIGN RELATIONS  
SMALL BUSINESS

COMMISSION ON SECURITY  
AND COOPERATION IN EUROPE

Mrs. Nicole Davis  
PO Box 1787  
Glen Burnie, Maryland 21060

Dear Mrs. Davis:

Thank you for contacting my office regarding the difficulties you are experiencing with your Housing Choice Voucher.

In order for my office to investigate your case, I must have your written authorization.

Enclosed please find a copy of the Privacy Act Form that must be completed and returned to my office at Tower 1, Suite 1710, 100 S. Charles Street, Baltimore, Maryland 21201, or faxed to 410-962-4156. Upon receipt, I will be able to initiate the appropriate inquiry on your behalf.

Should you have any questions, please do not hesitate to contact Anne Irby of my staff at 410-962-4436 or by e-mail at [Anne\\_Irby@cardin.senate.gov](mailto:Anne_Irby@cardin.senate.gov).

Sincerely,

*Benjamin L. Cardin*

Benjamin L. Cardin  
United States Senator

BLC:ai

of a Firearm During and in Relation to a Crime of Violence, in violation of 18 U.S.C. § 924(c)(1)(A)(i)<sup>1</sup>. By entering into this plea agreement, the defendant admits that he knowingly committed these offenses, and is in fact guilty of these offenses.

3. **Factual Basis for Guilty Plea.** The parties agree that the facts constituting the offenses to which the defendant is pleading guilty are as follows:

On September 9, 2020, at approximately 2:51 a.m., officers with the KCMOPD were dispatched to 11808 East 48th Terrace, Kansas City, Missouri, in reference to an armed robbery carjacking. Upon arrival, officers contacted the victim, J.D., who stated he had given a ride to a person he knows as "MOO MOO," later identified as Abdul Williams (Williams), and two of his friends, later identified as Regginald Dace, Jr. (the defendant) and a juvenile male. While driving, Williams, the defendant, and the juvenile asked the victim to stop at the Conoco gas station located at 3500 Prospect Avenue, Kansas City, Missouri.

Upon arrival at the gas station, the defendant put a gun to the victim's head and threatened to "blow his brains out" while demanding the victim's property. While the firearm was pointed at the victim, the suspects took the victim's credit and bank debit card from his pocket. The suspects also demanded the personal identification number (PIN) associated with the victim's bank debit card, which the victim provided.

After obtaining the victim's bank debit card and PIN, Williams and the juvenile entered the gas station and utilized the victim's bank debit card and PIN to withdraw \$500 in United States currency from the victim's bank account through the ATM. After obtaining the United States currency, Williams and the juvenile returned to the victim's vehicle. At gunpoint, the victim was forced to move from the driver's seat to the backseat of his vehicle. The juvenile then entered the driver's seat of the victim's vehicle and drove the victim, Williams, and the defendant away from the area.

Investigators obtained surveillance video from the gas station located at 3500 Prospect Avenue, Kansas City, Missouri. That video shows the victim's vehicle park adjacent to the gas station and Williams, the defendant, and the juvenile all exit the vehicle. The defendant was observed wearing a red shirt and

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<sup>1</sup>The Indictment charged the defendant with Brandishing a Firearm During a Crime of Violence in violation of 18 U.S.C. § 924(c)(1)(A)(ii). Pursuant to the plea agreement, the defendant has agreed to plead guilty to the lesser-included offense of Use of a Firearm During and in Relation to a Crime of Violence in violation of 18 U.S.C. § 924(c)(1)(A)(i).

Maryland Department of Juvenile Services  
FACILITY BEHAVIORAL ADJUSTMENT REPORT

|                                  |  |   |
|----------------------------------|--|---|
| Youth's Full Name: Reginald Dace | DOB: 11/07/01                          | Time Span observed: 03/09/2019 - 04/24/2019 |
| Facility Unit: 21                | Staff Completing Form: Felicia Randall | Date: April 25, 2019                        |

Assist #3352346

SCORE: 4 3 2 1 0 Score

| Category             | 4  | 3   | 2  | 1  | 0  | Score |
|----------------------|--|---|--|--|--|-------|
| <b>Anger Control</b> | Consistent incidents of lashing out at others verbally or physically, regardless of the time or setting. Appears angry most of the time without obvious provocation. Regularly targets other individuals with challenges/outburst. | Angry most of the time. Controls verbal and physical aggression rarely. Over-reacts to situations, but would not be considered volatile. Controls self only when selected others are present. | Generally seen as angry, but controls impulses with a select few peers or staff.                                     | Displays verbal or physical aggression when emotionally aroused but generally not described as an angry person.                          | Almost always controls self and is not observed to be verbally or physically aggressive. No complaints from others about aggression. | 1     |
| <b>Cooperation</b>   | Very uncooperative no matter what the issue, defies authority without provocation. Argues frequently with staff or peers. Incidents of CPM.  | Generally oppositional, defiant with most other people regardless of the setting.   | Sometime oppositional and defiant, sometimes compliant.  | Generally compliant but can be oppositional at times usually when provoked by an identifiable event.                                     | Usually cooperative and compliant and is not defiant even when there is disagreement.  | 2     |
| <b>Predatory</b>     | Verbally and physically aggressive with those perceived to be weaker. Covert in behavior, instigates, incites engaging and/or encouraging others to perform hurtful, retaliatory behavior. Not afraid of adult authority.          | Verbally and physically aggressive with those who are viewed as weaker individuals but rarely engages others to perform hurtful behaviors.  | Verbally and physically aggressive with others but does not act on these urges while under adult supervision.        | Rarely engages in hurtful behavioral toward those perceived as weaker. Has not been part of a plan by a group to hurt an individual.     | Does not engage in hurtful behavior either individually or in a group. Encourages others to stop predatory behavior.                 | 3     |
| <b>Peer Group</b>    | Negative peer group leader. Gets others to act out for him/her.  | Negative peer group member. Acts out for others as well as self.  | Changes alliances easily.  | Positive peer group member.  | Positive peer group leader, helpful to others.   | 1     |
| <b>Hygiene</b>       | Does not perform hygiene with supervision. Odorous and frequent complaints from others about poor hygiene that are founded.  | Performs hygiene only with staff prompting and does not complete unless continuously prompted. Often has founded complaints of body or mouth odor.  | Sometimes performs hygiene without prompting but sometimes may need a reminder or correction. Occasional complaints. | Generally performs hygiene and responds positively to prompting when there is a problem. Rare occurrence of odor and very few complaints | Always clean and neat without body or mouth odor. No founded complaints about hygiene from others.                                   | 0     |
| <b>Community</b>     | Does not perform assignments as directed. Never volunteers to participate in activities that benefit the   | Slow to comply with assignments. Does a poor job. Rarely volunteers to  | Does assignment only to avoid consequences.  | Performs assignments well and occasionally volunteers  | Does an excellent job on assignments. Can be counted on to volunteer for assignments that  |       |

|                              |   |  |  |  |   |              |
|------------------------------|---|--|--|--|---|--------------|
|                              | entire community. Requires constant supervision or prompting to complete tasks and then does a poor job.  | participate in activities that benefit the entire community, when there is no obvious personal gain.                                 | Volunteers only if there is a direct personal benefit.   | for assignments that benefit the community.  | benefit the entire community without much direct personal benefit.                              | <b>1</b>     |
| <b>Score</b>                 | <b>4</b>  | <b>3</b>   | <b>2</b>   | <b>1</b>   | <b>0</b>  | <b>Score</b> |
| <b>Interaction Skills</b>    | Rude verbally and physically challenging stares, gestures, verbal comments that regularly offend others with and without provocation.                         | Verbally and physically rude and easily provoked.  | Courteous to members, but can be inappropriate with some staff and peers                         | Is courteous most of the time to staff and peers even when they are not comfortable with the individual.             | Polite in speech and actions regardless of affiliation.   | <b>2</b>     |
| <b>Impulse Control</b>       | Impulsive and disruptive in organized activities, either verbally or physically. Resistant to structure and supervision.                                      | Frequently impulsive and disruptive verbally or physically. Performs better with supervision and structure.                          | Verbal and physical disruptiveness in certain situations or with particular people.              | Usually thinks before acting. Attempts to control impulsive urges to engage in disruptive behavior most of the time. | No evidence of verbal or physical disruptiveness to individual or group activities.             | <b>2</b>     |
| <b>Time Management</b>       | Constantly off-task, poorly organized, low productivity.  | Generally off task, somewhat responsive to supervision and structure.  | Sometimes off task, late or delays in completing tasks or compliance.                            | Consistently on time with task completion.   | Always on time with task completion.  | <b>1</b>     |
| <b>Self-management</b>       | Physical and/or verbal tantrums, emotionally volatile. Unable to control affect   | Does not control verbal behavior when upset with outbursts. Frequently out of control physically.                                    | Sometimes out of control verbally or physically, with some modulation and with staff assistance. | Infrequent verbal and/or physical outbursts, responds to staff prompting   | Always controls emotional and physical outbursts; modulates affect and expresses appropriately. | <b>1</b>     |
| <b>Frustration tolerance</b> | Highly reactive to events and very easily frustrated. Difficult to calm, resistant to structure and supervision, typically verbally or physically expressive. | Somewhat reactive to events and appears easily frustrated. Calms down after a period of time with staff intervention and assistance. | Occasionally reactive but responsive to verbal interventions by staff.                           | Generally able to control emotional response to events. Uses resources to manage difficult situations.               | Rarely emotionally reactive to events. Calms self and others.                                   | <b>2</b>     |
| <b>Offenses</b>              | One or more Major Offense(s) and /or 7 or more Moderates  | 7 or More Moderate Offenses  | Four to six Moderate Offenses  | 3 or Less Moderate Offenses  | No Offenses   | <b>4</b>     |

# Major Offenses: **2**

# Moderate Offenses: **4**

Total Score: **16** of 48



(SLMP)

7. **Respondent:**

Emmanuel Dace  
Fantasy Homes  
9201 E. 84th Court  
Raytown, MO 64138

Swope Community Builders  
3442 Wabash Avenue  
Kansas City, MO 64109

which was a contractor works  
Federal dollars to Rehab) Did  
not have deed? lawyer that  
represented both homeowners was  
the CEO of the board for such  
services(?)

8. **The following is a brief and concise statement of the facts regarding the alleged violation:**

Section: 804 (b) & Section 38.102-38.113 of City Ordinance #130041  
Issue: Terms and Conditions  
Basis: Sex (Female) (Domestic Violence)  
Allegation(s): Eviction

Complainant, Nicole Davis-Dace, belongs to a class of person whom the Act protects from unlawful discrimination because of Sex, Female. Complainant alleges she was the victim of domestic violence prior to moving to Kansas City, MO. Complainant states she and her children moved to Kansas City, MO to escape the abuse. Complainant states she is currently renting a house located at 3442 Wabash Avenue in Kansas City, MO. Complainant states the property is managed by her brother-in-law, Emmanuel Dace, who is the brother of her alleged abuser.

Complainant alleges respondent Dace threatened her with eviction and instructed her to move into another property located at 3619 Norton, KCMO, where her ex-husband/abuser lives. Complainant alleges respondent Dace is alleging Complainant is being evicted due to non-payment of rent. Complainant alleges she did pay rent but respondent Dace refused to provide her with a receipt.

Section: 804 (b) & Section 38.102-38.113 of City Ordinance #130041  
Issue: Terms and Conditions  
Basis: Sex (Female) (Domestic Violence)  
Allegation(s): Failure to Make Repairs

Complainant alleges she smelled gas odors immediately after moving in. Complainant states she complained to respondent Dace who demanded she move out and move in with her abuser. Complainant alleges she has filed an exparte order of protection against her abuser, Reginald Dace Sr., and refuses to move in with him.



(913) 888-4-BOB

DS#

|   |   |   |   |   |   |  |  |  |  |
|---|---|---|---|---|---|--|--|--|--|
| 3 | 2 | 5 | 8 | 8 | 7 |  |  |  |  |
|---|---|---|---|---|---|--|--|--|--|

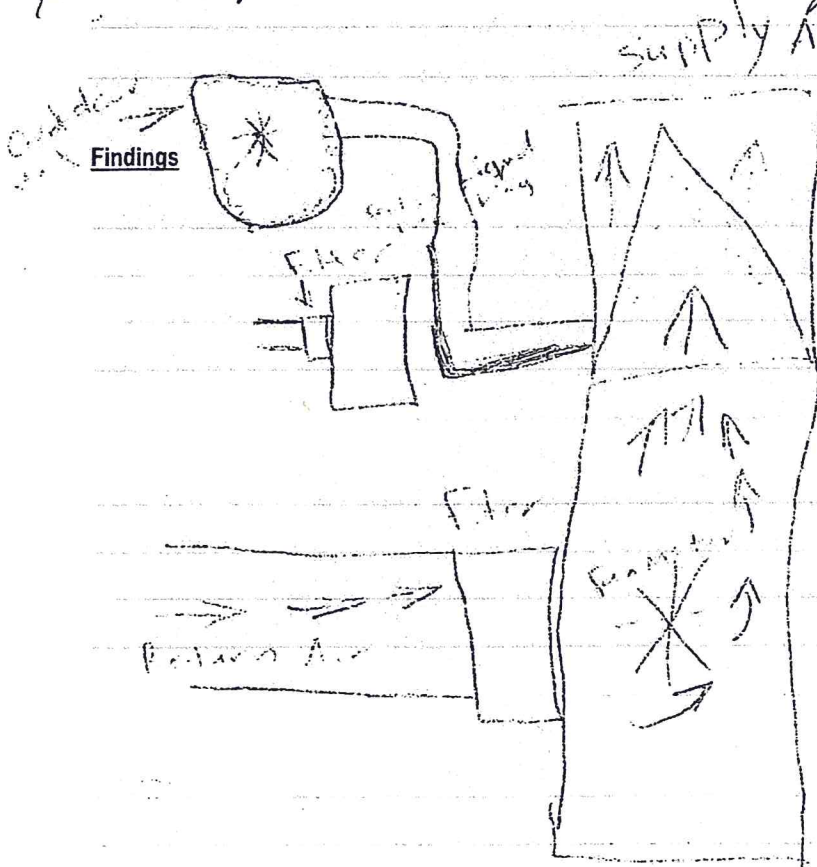
Customer: DAVIS

Date: 8/30/16

Customer Phone #: 442-829-9184

Observations

*B79 Dispatch only*



|                    | N. SP     | SP        | W. SP   |
|--------------------|-----------|-----------|---------|
| coil cleaning      | \$1091.19 | \$274.78  | \$196.4 |
| Furnace ultrasonic | \$800     | \$685.00  | \$115   |
| cleaned            |           |           |         |
| Blower motor       | \$1484.21 | \$1217.00 | \$115   |

At arrival system is not working checked found. No Air filter, inspected coil with camera coil is very dirty caused them to freeze. Blower motor is not working, re sound low motor.

# Missouri Month-to-Month Rental Agreement

This form is a legally binding document for the use and occupation of space described in Section I for residential use (hereinafter known as the "Monthly Rental Agreement") under the following terms:

**I. The Property.** Landlord agrees to rent the property located at  
3442 Wabash Ave Kansas City MO 64127  
City of \_\_\_\_\_, State of \_\_\_\_\_.

## a. Furniture and Appliances

- In addition to the space described, the Landlord agrees to allow the use of the following Furniture and Appliances: \_\_\_\_\_  
\_\_\_\_\_

- No Furniture or Appliances included in this Monthly Rental Agreement. Tenant agrees to take possession "As-Is."

## b. Common Areas

- The Tenant has the right to the use of any and all common areas that may exist on the property, including, but not limited to:  
\_\_\_\_\_  
\_\_\_\_\_

The Tenant must follow any and all rules associated with said common areas, along with the following restrictions: \_\_\_\_\_  
\_\_\_\_\_

- No common areas exist on the property.

**II. The Parties.** The Lease Agreement is between the following:

Landlord Fantasy Homes LLC

Mailing Address 9201 E 84th Court Raytown MO 64138

City of \_\_\_\_\_ State \_\_\_\_\_

Tenant Nicole Davis

Mailing Address \_\_\_\_\_

**a. Prorated 1<sup>st</sup> Month.**

- The Tenant shall move in to the property on February 2, 2016,  
20\_\_\_\_ with the prorated payment of \$\_\_\_\_\_.

- The Tenant agrees to move-in on the first day of the term.

**b. Security Deposit.**

- The Tenant is required to pay a Security Deposit to the Landlord in  
the amount of \$ 500.

- The Tenant is not required to pay a Security Deposit.

**c. Last Month's Rent.**

- The Tenant is required to pay Last Month's Rent to the Landlord in  
the amount of \$\_\_\_\_\_.

- The Tenant is not required to pay Last Month's Rent.

**d. Rent in Advance.**

- The Tenant is required to pay Rent in Advance to the Landlord in the  
amount of \$\_\_\_\_\_.

- The Tenant is not required to pay Rent in Advance.

**e. Pet Deposit.**

- The Tenant is required to pay a Pet Deposit to the Landlord in the  
amount of \$\_\_\_\_\_.

- The Tenant is not required to pay a Pet Deposit.

**f. Other.**

IN DEFAULT IN THE PERFORMANCE OF ANY ORDER CONTAINED  
IN THIS JUDGMENT, LET EXECUTION ISSUE THEREFOR.

Dated: \_\_\_\_\_

*[Handwritten signature]*

\_\_\_\_\_  
Judge

*[Handwritten signature]*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was hand delivered in open court to the parties, and, if a party was not present in Court, a copy was mailed via U.S. First Class mail, postage prepaid, to that party, on January 11, 2018 to:

Nicole Renee Davis  
4224 Brooklyn Ave.  
Kansas City, MO 64130

John L. Williams  
600 Broadway, Suite 250  
Kansas City, MO 64105

CERTIFIED COPY

I certify that the foregoing document is a full, true and complete copy of the original on file in my office and of which I am legal custodian.

Jeffrey A. Eisenbeis  
Court Administrator

Circuit Court of Jackson County, Missouri

1-11-18 By *[Signature]*  
Deputy

*[Handwritten signature]*

\_\_\_\_\_  
Judicial Administrative Assistant

CLOSED

**U.S. District Court  
Western District of Missouri (Kansas City)  
CIVIL DOCKET FOR CASE #: 4:18-cv-00435-ODS  
Internal Use Only**

Davis v. Williams et al  
Assigned to: District Judge Ortrie D. Smith  
Demand: \$64,000  
Cause: Civil Miscellaneous Case

Date Filed: 06/06/2018  
Date Terminated: 06/11/2018  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Nicole Davis**

represented by **Nicole Davis**  
3918 Wabash Ave.  
Kansas City, MO 64130  
Email:  
PRO SE

V.

**Defendant**

**John Williams**  
*Attorney*

**Defendant**

**Emmanuel Dace**  
*Contractor*

**Defendant**

**City of Kansas City**

Email All Attorneys

Email All Attorneys and Additional Recipients

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>   |
|-------------------|----------|--|
| 06/11/2018        | <u>4</u> | ORDER (1) Denying Plaintiff's Application for Leave to File Action Without Payment of Fees, (2) Denying Plaintiff's Motion for Appointment of Counsel as Moot, and (3) Dismissing Matter Without Prejudice. Signed on 6/11/2018 by District Judge Ortrie D. Smith. Copy mailed on 6/11/2018 to Plaintiff at address on file. (Houston, Kiambu) (Entered: 06/11/2018) |
| 06/06/2018        | <u>3</u> | FINANCIAL AFFIDAVIT by Nicole Davis. (Woods, Gloria) (Entered: 06/06/2018)   |

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

NICOLE DAVIS, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No. 4:18-CV-435-ODS  
 )  
 JOHN L. WILLIAMS, et al., )  
 )  
 Defendants. )

ORDER (1) DENYING PLAINTIFF'S APPLICATION FOR LEAVE  
TO FILE ACTION WITHOUT PAYMENT OF FEES, (2) DENYING  
PLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL AS MOOT,  
AND (3) DISMISSING MATTER WITHOUT PREJUDICE

On June 6, 2018, Plaintiff filed an application for leave to file this action without payment of fees (Doc. #1), and a motion for appointment of counsel (Doc. #2). By moving to proceed without paying the filing fee, Plaintiff subjects her Complaint to review under the standards set forth in 28 U.S.C. § 1915(e)(2)(B). The Court must review the Complaint to ensure it is not frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B). The Court must also review the Complaint to confirm the Court has jurisdiction. *Ark. Blue Cross & Blue Shield v. Little Rock Cardiology Clinic, P.A.*, 551 F.3d 812, 816 (8th Cir. 2009). In reviewing a pro se Complaint under section 1915(e)(2)(B), the Court must give the Complaint the benefit of a liberal construction. *Haines v. Kerner*, 404 U.S. 519, 520 (1972). For the following reasons, Plaintiff has not provided an adequate basis for this Court to exercise jurisdiction over this matter.

In her Complaint, Plaintiff lists John Williams (attorney), Emmanuel Dace (contractor), and the City of Kansas City as Defendants. Doc. #1-1, at 1-2. For the basis of this Court's jurisdiction, Plaintiff checked the box for federal question, and listed "Infringment [sic] of Citizen Rights. State Stauture [sic] Sec 38 12358113 Sec 80(b) 113 City Ordinance #130041." *Id.* at 3. Off to the side of that paragraph, Plaintiff wrote "102-38." *Id.* For the statement supporting her claim(s), Plaintiff wrote the following:

plaintiff was discriminated against, and (3) the plaintiff's race, color, or national origin was the motive for the discriminatory conduct. *Scarlett v. Sch. of Ozarks, Inc.*, 780 F. Supp. 2d 924, 934 (W.D. Mo. 2011) (citations omitted). Plaintiff has not alleged any facts supporting a claim under Title VI of the Civil Rights Act.

Finally, if Plaintiff is attempting to appeal decisions issued by the Circuit Court and/or Associate Circuit Court of Jackson County, Missouri, this Court does not have jurisdiction over a case purportedly appealing a Missouri state court's decision. See *Postma v. First Fed. Sav. & Loan*, 74 F.3d 160, 162 (8th Cir. 1996) (stating federal courts "lack subject matter jurisdiction to engage in appellate review of state court decisions"). For this additional reason, Plaintiff's motion for leave to file this matter without paying a filing fee must be denied.

For the foregoing reasons, Plaintiff's motion for leave to file this action without payment of fees (Doc. #1) is denied, her motion for appointment of counsel (Doc. #2) is denied as moot, and this matter is dismissed without prejudice.

IT IS SO ORDERED.

DATE: June 11, 2018

/s/ Ortrie D. Smith  
ORTRIE D. SMITH, SENIOR JUDGE  
UNITED STATES DISTRICT COURT



I have Been (Infringe) [sic] upon[.] I have Been not allowed to testify on Public Issues[.] I have not Been able to convey [sic] with the Human Relations In City Hall[.] I have not Been able to talk with Public Officials and since filing[.] Mr. John Williams sought me out in other housing to discredit me. The housing In which I lived was in need of repair and Instead of repair[.] Evicted[.] Documents has [sic] been changed since I collected Data and Evidence and Submitted.

*Id.* at 5. On the Civil Cover Sheet, Plaintiff identified the nature of the suit as other personal injury, other civil rights, and Americans with Disabilities. Doc. #1-2. She listed the cause of action as “Article III Section 38 101-38-113 Title VI Title II.” *Id.*

In the more than fifty pages submitted with her Complaint, there is a document indicating the Kansas City, Missouri Human Relations Department investigated a complaint filed by Plaintiff against Emanuel Dace (a defendant in this matter) and others, and made a determination of reasonable cause in January 2018. Doc. #1-3, at 6, 8-9, 13, 28. The Human Relations Department’s Determination refers to “Article III, Section 38.101-38.113 of the Code of General Ordinances for the City of Kansas City, Missouri.” *Id.* at 8, 13. Other documents submitted by Plaintiff include, but are not limited to, the following:

- A handwritten note filed in the Circuit Court of Jackson County, Missouri, on June 28, 2016. *Id.* at 43-44. Therein, Plaintiff states she has completed payments to Dace, and has been working with “Human Rights to Resolve Discriminating [sic] Issues....” *Id.* Plaintiff asks for “Execution to Stay at 3442 Wabash Ave[.] until issues or [sic] Resolved with Human Rights.” *Id.* at 44.
- An order entered by the Jackson County, Missouri Associate Circuit Court on October 11, 2017, denying Plaintiff’s motion to review a previously entered judgment. *Id.* at 23. John L. Williams (another defendant in this matter), represented the opposing party in that matter. *Id.* at 27.
- An order issued on January 11, 2018, by the Circuit Court of Jackson County entering judgment in favor of and awarding restitution to Mark Lamport, who was represented by John L. Williams, and finding Plaintiff unlawfully possessed premises. *Id.* at 50-53.
- An incomplete, undated document that refers to Plaintiff’s allegation that her brother-in-law, Dace, manages the property she is renting, and Dace threatened her with eviction. *Id.* at 54. She also maintains she smelled gas odors after moving in, and complained to Dace about the odors. *Id.* This document refers to “Section: 804(b) & Section 38.102-38.113 of City Ordinance #130041.” *Id.*

The documents identified above assist the Court in identifying the bases for Plaintiff’s purported claims. Section 38 of the Code of Ordinances for the City of Kansas

City, Missouri, addresses Human Relations, and specifically, Article III sets forth discriminatory practices. Kan. City, Mo., Mun. Code ch. 38, art. III (2013); [https://library.municode.com/mo/kansas\\_city/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH38HURE\\_ARTIIIDIPR](https://library.municode.com/mo/kansas_city/codes/code_of_ordinances?nodeId=PTIICOOR_CH38HURE_ARTIIIDIPR) (last visited June 7, 2018). Article III consists of section 38.101 through section 38.113, which detail the prohibited discriminatory practices. *Id.* Plaintiff's references to "Article III Section 38 101-38-113" correlate with these municipal ordinances.<sup>1</sup> These ordinances, however, are not federal law. Thus, this Court does not have jurisdiction over those claims.

Although not included in her Complaint, Plaintiff refers to separately to "personal injury," "civil rights," "Americans with Disabilities," "Title II,"<sup>2</sup> and "Title VI"<sup>3</sup> in her Civil Cover Sheet. What particular claims Plaintiff is attempting to assert is unclear. But the Court has endeavored to decipher Plaintiff's Complaint and the other documents she submitted to discern potential bases for her claims.

To the extent she is attempting to bring a claim under Title II of the Americans with Disabilities Act, Plaintiff must show (1) she is a person with a disability as defined by statute, (2) she is otherwise qualified for the benefit in question, and (3) she was excluded from the benefit due to discrimination based upon disability. *Randolph v. Rodgers*, 170 F.3d 850, 858 (8th Cir. 1999) (citations omitted). Plaintiff, however, has not alleged any facts that would establish a prima facie claim.<sup>4</sup>

If she is trying to bring a claim under Title VI of the Civil Rights Act, Plaintiff has not alleged any facts that would establish such a claim. Title VI of the Civil Rights Act prohibits discrimination against racial and ethnic minorities in programs or activities receiving federal aid. 42 U.S.C. § 2000d; *Alexander v. Choate*, 469 U.S. 287, 293 (1985). To establish a prima facie case, a plaintiff must show (1) the defendant is receiving federal funds, (2) the

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<sup>1</sup> The Court is unable to decipher Plaintiff's reference to "Sec 80(b) 113 City Ordinance #130041," other than Plaintiff is attempting to rely on a municipal ordinance.

<sup>2</sup> Plaintiff simply wrote "Title II." Title II of the United States Code pertains to Congress. The Court assumes Plaintiff intended to rely upon "Title II" of a specific act or law (not an entire title of the United States Code), although not identifying the particular act or law.

<sup>3</sup> Plaintiff simply wrote "Title VI." Title VI of the United States Code addresses domestic security. *See supra*, n.2.

<sup>4</sup> To the extent she is attempting to allege a claim under Title II of the Civil Rights Act, as she tried to do in *Davis v. City of Kansas City*, No. 16-354-GAF, she has not alleged sufficient facts to establish such a claim.

|            |          |  |
|------------|----------|--|
| 06/06/2018 | <u>2</u> | MOTION to appoint counsel filed by Nicole Davis. Suggestions in opposition/response due by 6/20/2018 unless otherwise directed by the court. (Woods, Gloria) (Entered: 06/06/2018)   |
| 06/06/2018 | <u>1</u> | MOTION for leave to proceed in forma pauperis filed by Nicole Davis. Suggestions in opposition/response due by 6/20/2018 unless otherwise directed by the court. (Attachments: # <u>1</u> Complaint, # <u>2</u> Civil Cover Sheet, # <u>3</u> Exhibit) (Woods, Gloria) (Entered: 06/06/2018) |

Print

Close

Exhibit #3

1666-CV08984

# KC Cares Application

From: **Brian Motl** (motl@growyourgiving.org)  
Sent: Thu 5/12/16 1:04 PM  
To: Shirley Paschal (spaschal6285@hotmail.com)

Good Afternoon Shirley,

The grant of \$750 that you requested on behalf of your client Nicole Davis through the Kansas City Cares Fund has been approved. Please provide your client a letter from Kansas City Cares explaining the terms of this grant. Go to [redacted] to download and print in English or go to [redacted] to download and print in Spanish.

This grant will be paid from the Greater Kansas City Community Foundation Emergency Relief Fund. Please pay the vendor on behalf of your client and receive a check from GKC within 30 days.

Thank you for everything that you do for your clients, and please do not hesitate to contact me with any questions. Our donors always appreciate hearing from clients that have been served by the fund, so if they are interesting in sending a thank you note, it can be sent to the address at the end of this email.

Best,

Best,

Brian Motl

Corporate Services Specialist

Greater Kansas City Community Foundation | Greater Horizons

Whatever the danger, if any, in such public discussions, it is a danger the Founders deemed outweighed by the danger incident to the stifling of thought and speech. The Court does not act on this view of the Founders. It calculates what it deems to be the danger of public discussion, holds the scales are tipped on the side of state suppression, and upholds state censorship. This method of decision offers little protection to First Amendment liberties 'while this Court sits.'

If there be minority groups who hail this holding as their victory, they might consider the possible relevancy of this ancient remark:

'Another such victory and I am undone.'

\*276 APPENDIX.

PEOPLES EXHIBIT 3

# PRESERVE and PROTECT WHITE NEIGHBORHOODS!

## FROM THE CONSTANT AND CONTINUOUS INVASION, HARASSMENT AND ENCROACHMENT BY THE NEGROES

(WE WANT TWO MILLION SIGNATURES OF WHITE MEN AND WOMEN)

### PETITION

To His Honorable Martin H. Kennelly and City Council of the City of Chicago.

WHEREAS, the white population of the City of Chicago, particularly on the South Side of said city, are suffering, nervous and agitated because of the constant and continuous invasion, harassment and encroachment by the Negroes upon them, their property and neighborhoods and --

WHEREAS, there have been disastrous lynchings within the past year, all of which are fraught with grave consequences and great danger to the Peace and Security of the people, and

WHEREAS, there is great danger to the Government, from communism which is rife among the Negroes, and

WHEREAS, we are not opposed to the Negro; we are for the white people and the white people are entitled to protection: --

We, the undersigned white citizens of the City of Chicago and the State of Illinois, hereby petition the Honorable Martin H. Kennelly, Mayor of the City of Chicago and the Aldermen of the City of Chicago, to ban the further encroachment, harassment and invasion of white people, their property, neighborhoods and persons, by the Negro -- through the action of the Police Force; of the Office of the Mayor of the City of Chicago, and the City Council.

### WANTED

ONE MILLION FIVE HUNDRED THOUSAND WHITE PEOPLE IN CHICAGO TO UNITE UNDER THE BANNER OF THE WHITE CIRCLE LEAGUE OF AMERICA to oppose the National Congress now and sponsored by FEUERBAUM'S INFAMOUS CIVIL RIGHTS PROGRAM and many Pro Negro Organizations to antagonize the Black and White race with the object of separating the white race.

THE WHITE CIRCLE LEAGUE OF AMERICA is the only patriotic white race in America today that in protest against these aggressions and indignities to all white neighborhoods. The white people of Chicago MUST take advantage of this opportunity to become UNITED. If you cannot do this now to prevent the white race from becoming separated by the Negro we will not make us then the aggressions... rape, robbery, lynchings, guns and knives of the Negro, SURELY WILL.

The Negro has many national organizations working to push him into the middle of the white people on one front. The white race must have a single organization to work on a NATIONAL SCALE to make the white people and to meet his national rights to self-protection. THE WHITE CIRCLE LEAGUE OF AMERICA proposes to do the job.

WE ARE NOT AGAINST THE NEGRO. WE ARE FOR THE WHITE PEOPLE.

We must protect and preserve our white families and neighborhoods before it is too late. Let us work unceasingly to secure the white man's rights and rights in America.

THE WHITE CIRCLE LEAGUE OF AMERICA, INC. - Joseph Beauharnais, Pres. - FR. 8-8123, Suite 812, 25 W. Washington St.

YOUNG MEN NEEDED TO GET 25 SIGNATURES ON PETITION! COME TO HEADQUARTERS!

I wish to be enrolled as a member in THE WHITE CIRCLE LEAGUE OF AMERICA and I will do my best to secure ten (10) or more members.

THE FIRST LOYALTY OF EVERY WHITE PERSON IS TO HIS RACE. ALL THE COMBINED PRO NEGRO FORCES HAVE MOBILIZED THEIR ULTIMATUM INTO THE FACES OF THE WHITE PEOPLE. WE ACCEPT THEIR CHALLENGE.

THEY CANNOT WIN! IT WILL BE EASIER TO REVERSE THE CURRENT OF THE ATLANTIC OCEAN THAN TO DEGRADE THE WHITE RACE AND ITS NATIONAL LAWS BY FORCED MONGRELIZATION.

THE NEGRO HAS STRUCK FOR ALL NORMAL WHITE PEOPLE TO STAND UP AND FIGHT FOR OUR RIGHTS TO LIFE, LIBERTY AND THE PURSUIT OF HAPPINESS.

JOSEPH BEAUHARNAIS.

APPLICATION FOR 1950 MEMBERSHIP  
THE WHITE CIRCLE LEAGUE OF AMERICA, INC.  
(10¢ Per Form)

Mail To --- DATE --- 19---

THE WHITE CIRCLE LEAGUE OF AMERICA, INC.  
33 W. Washington St.  
Chicago 2, Illinois  
Tel. FR. 8-8123

Membership \$1.00  
 Subscription to Monthly Magazine (WHITE CIRCLE NEWS) 25¢ Per Issue \$1.00  
 Voluntary Contribution \$ ---  
 I see reference some of my time to aid the WHITE CIRCLE in growing under way.

(SIGNED) (Print Name) \_\_\_\_\_  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_  
(Please Tear Out and Mail to Headquarters with Your Contribution)

\*\*741 \*277 Mr. Justice REED, with whom Mr. Justice DOUGLAS joins, dissenting.

The Fourteenth Amendment of our Constitution forbids that any person be deprived by a state of liberty or property without due process of law. This Illinois conviction subjects petitioner to a fine of \$200. The petitioner challenges the validity of the sentence on the ground that his conviction under s 224a, Division 1, of the Illinois Criminal Code<sup>1</sup> violates substantive due process. The petition for certiorari phrases the issue thus: 'Is the Illinois statute \*\*\* as construed \*\*\* or applied \*\*\* invalid \*\*\* because it infringes upon the constitutional guarantee of free speech, press and of assemblage as guaranteed' by the Fourteenth Amendment?

The Supreme Court of Illinois upheld the conviction of petitioner under an information which charged:

'that defendant on January 7, 1950, at the City of Chicago, did unlawfully publish, present and exhibit in public places, lithographs, which publications portrayed depravity, criminality, unchastity or lack of virtue of citizens of Negro race and color and which exposes citizens of Illinois of the Negro race and \*278 color to contempt, derision, or obloquy, which more fully appears in Exhibit A, which is attached hereto and made a part thereof.'<sup>2</sup>

The evidence was sufficient to justify the jury in finding that Beauharnais caused the lithograph referred to in the information to be published and distributed in public places. The

It is widely accepted that school districts—a district being an area whose schools are controlled by a common governing authority—can legitimately be constructed along such “community” lines.<sup>262</sup> I am not aware, however, of widespread acceptance of the view that within such districts the various attendance zones can properly be drawn along community lines of an ethnic or economic nature.<sup>263</sup> The obvious problem with this combination of positions is that if effective racial segregation can be justified under the guise of “community” distinction at the level of constructing school districts, a hesitancy to permit the use of such criteria of choice in subdividing the districts into attendance zones may be largely meaningless. This realization might suggest that the acceptance of “community” as a legitimate criterion of choice even at the district level ought to be reexamined.<sup>264</sup> Certainly those who charge the courts with thwarting integration by their refusal to embrace a pure impact test by declaring “*de facto* segregation” of attendance zones unconstitutional would do well to consider not only the costs of instructing local officials to take into account the races of the persons they are sorting out, but also whether such a broad pronouncement would actually achieve integration in view of the recognition of “community” as a legitimate criterion of choice at the district level.<sup>265</sup>

262. This position is a logical extension of the view that voting districts and other political units may be thus constructed, and is thus subject to the reservations expressed above, p. 1234, in addition to the one now mentioned in the text.

263. In the context of pupil assignment as opposed to governance, condonation of the “neighborhood school concept” apparently amounts to nothing more controversial than acceptance of the propriety of assigning pupils along geographical lines; it says that students should generally go to school near their homes without taking a position on how the geographical discriminations should be made. See, e.g., *Brown v. Board of Education*, 349 U.S. 294, 300 (1955); Kaplan, *supra* note 140, at 178-80.

264. I hope it is unnecessary to note that to say this is to take no position on how control should be divided as among the school, district, city, county and state levels.

265. Professor Black's defense of *Brown v. Board of Education* relies in part on the observation that segregation was and is intended to disadvantage Negroes. Black, *The Lawfulness of the Segregation Decisions*, 69 YALE L.J. 421 (1960). It is relatively clear, however, that he means this observation not to serve as the constitutional point-in-chief, but rather to provide a buttress—alternative to the sociological and psychological studies on which the Court relied—for what, he feels, is to the constitutional point, that segregation “significantly disadvantages” Negroes. *Id.* at 421. See *id.* at 425:

Segregation in the South grew up and is kept going because and only because the white race has wanted it that way—an incontrovertible fact which in itself hardly comports with equality. This fact perhaps more than any other confirms the picture which a casual or deep observer is likely to form of the life of a southern community—a picture not of mutual separation of whites and Negroes, but of one in-group enjoying full normal communal life and one out-group that is barred from this life and forced into an inferior life of its own . . . .

Professor Heyman, however, taking off from the undeniable proposition that the equal protection clause was designed in large part to guarantee that Negroes would be treated equally with white persons, concludes that even if comparative disadvantage does not in fact result from a law, the law must fall nonetheless if it was designed to hurt Negroes. Heyman, *supra* note 40, at 112-15.

|            |                              |         |           |           |  |  |
|------------|------------------------------|---------|-----------|-----------|--|--|
|            | / 19737395                   | Battery |           |           |  |  |
| 09-30-2019 | C-02-JV-19-764<br>/ 19737395 | Robbery | Dismissed | Dismissed |  |  |
|            |                              |         |           |           |  |  |

2

Informal:

| Offense Date | Petition# /<br>Police Report # | Alleged Offense  | Intake Decision    | Intake Decision<br>Date |
|--------------|--------------------------------|--|--------------------|-------------------------|
| 09-24-2019   | (none) / 19736550              | Theft Misdemeanor - \$100 to<br>< \$1,500- 1st or subsequent | Resolved at Intake | 11-08-2019              |


On February 5, 2020, Nehemiah Keshon Swopes, appeared the Honorable Court for an Adjudication Hearing in the above matters. At that time, he was found to be delinquent of Deadly Weapon Misdemeanor - Concealed Dangerous Weapon - Wear or Carry (C-02-JV-19- 759), Assault Second Degree (C-02-JV-19-764) Assault Second-Degree (C-02-JV-19-787), and Assault Second-Degree (C-02-JV-19-786 ), disposition was deferred and a Psychosocial evaluation was ordered.

Nehemiah was seen for his psychosocial evaluation, however this report was not made available at the time of this report.

At this time, the Department of Juveniles Services is respectfully recommending that Nehemiah Swopes be placed on supervised Probation and follow the follow the recommendations of the Psychosocial evaluation.

Respectfully Submitted,

  
 Sherry D. Anderson  
 Case Management Specialist

  
 Kelly Stevens  
 Case Management Specialist Supervisor



- Interview with the Vice Principal of the Glendale Regional Program, Ms. Lauren Wickline
- Interview with the Social Worker at Glendale Elementary School, Ms. Devin Dickerson
- T/C to the CID Division regarding interview with Nehemiah (AJ) Swopes
- T/C to Kelly Moshogianis, LMSW, Child and Adolescent Coordinator of the Anne Arundel County Mental Health Agency-410-222-7858- to discuss their services to this family
- T/C to Ms. Mia, Nehemiah (AJ)'s therapist from the Center for Children, emailed her a release but she never responded
- Interview with Ms. Davis at her home on 02/20/20
- Interview with Nehemiah (AJ) at school on 02/28/20
- T/C to Anne Arundel County DSS, Ms. Lisa Gattie- Supervisor of Family Preservation-410-897-3914- the family has not been involved with them yet
- T/C to Ms. Clookie, therapist from Time Inc. providing services to Nehemiah (AJ)
- T/C to Sgt. Foster- CID Anne Arundel County- 410-222-2478 regarding their interview with Nehemiah (AJ)
- T/C to Denise Drenning- The Pupil Personnel Worker at Glendale Elementary- 410-533-9829

Current Offense:

In Docket No. C-02-JV-19-759 the official version of the offense is as follows:

On 09/17/19 at 1649 hours Officers responded to 107 Cedar Hill Drive in Brooklyn Maryland for a reported breaking and entering. The caller advised that three juvenile males (two black and one white) had assaulted the resident of the house and his wife with BB guns and then fled from the house. The resident Donald Smith advised that he and his wife, Christina Smith, had arrived home and found two of the juvenile males on his front porch and a third male was in the front yard with hoodies and black masks on their heads with their faces still visible. On the previous day Mr. Smith had found the juveniles at his home and had told them not to return. On this day the juveniles began to argue with Mr. Smith. The juveniles began to leave the house. Mr. Smith began following them to make sure they left. All three juveniles pulled out guns and began shooting at Mr. Smith. Mr. Smith thought they were real guns until he heard the shots. Neither Mr. nor Mrs. Smith was hit by the shots. A vehicle was shot by the juveniles and the driver's side window was hit and shattered. Marcus Pinkard was caught and had kept possession of his BB gun. The other two juveniles, Swopes and Jordan Provenza had stashed their guns. Swopes took Officers to where they stashed their BB guns. Swopes was transported to BWMC where his mother had been hospitalized earlier that day. He was released to her custody.

CMS worker spoke with the youth's mother and requested that she bring in proof of counseling and other services the youth is enrolled in. The hearing was rescheduled to 24th of October.

*Which started the cultural competence they begin coming to my asking*

In Docket No. C-02-JV-19-786 the official version of the offense is as follows:

On 9/22/19 at approximately 1901 hours an Officer observed a group of juveniles in the parking lot by McDonalds. During this time there was a call for service from that location. While waiting to turn onto 11<sup>th</sup> Avenue the Officer watched Nehemiah (AJ) Swopes punch another Victor Canales in the side of the face. Canales pushed Swopes away from him and walked away. Canales approached the Officer and told him that Swopes approached him and asked him if he had a dollar to give him. Canales pulled out his money and handed him a dollar. Swopes told him that he wanted the rest of his money and tried to forcefully take his money out of his pocket. Canales pushed him away. Swopes then started to punch Canales with a closed fist in his face. Another witness gave the same story that Canales gave.

*did he see any thing*

In Docket No. C-02-JV-19-787 the official version of the offense is as follows:

On 09/25/19 at approximately 1330 hours the Police responded to Glendale Elementary School in reference to an assault. The Assistant Principal, Lauren Wickline, stated that Nehemiah (AJ) Swopes assaulted another student Jameson Tree. As they were walking into the cafeteria, Nehemiah (AJ) grabbed Jameson around the neck using both hands and then slammed the left side of his head into the wall. Jameson advised that Nehemiah (AJ) cut him in line. Jameson confronted him about cutting him in line and that is when grabbed him by his throat and slammed his head into the wall. Jameson had no visible injuries but was complaining about head pain. Nehemiah (AJ) was transported to Harbor