

**FILED**

OCT 10 2007

IN THE 7<sup>TH</sup> JUDICIAL CIRCUIT COURT OF MISSOURI  
COUNTY OF CLAY - DIVISION 2

CITY OF KANSAS CITY, MISSOURI )

Clay County Circuit Court

**Plaintiff**

) **AFTER TRIAL MOTION**

**Vs**

) **case # 2243354-4 and 2243355-1 and**

) **2243356-9**

**William Duff**

)

**Defendant**

)

**WRIT OF MANDAMUS - CASE #'s 2243354-4 and 2243355-1 and 2243356-9 TO THE HONORABLE ANTHONY (REX) GABBERT – TIME SENSITIVE DOCUMENT - PLEASE DELIVER DIRECTLY TO JUDGE GABBERT FOR HIS IMMEDIATE DISPOSITION**

**COMES HERE NOW**, William Duff, pro per, (hereinafter he, his, defendant or Duff), One of the People within Missouri, sui juris, without assistance of counsel, appearing for issuance of writ of mandamus to the Honorable Judge Williams, Room A, Kansas City Municipal Court to quash that Municipal judgment and proceedings and remand the above referenced cases to this court to be joined with case # 07CY-CV06125 for the following good cause shown, to wit;

The Honorable Judge Williams failed to acquire jurisdiction of the subject matter or the person in the face of documents filed in that case disputing it. (see DEFENDANT ANSWER TO PLAINTIFF, CITY OF KANSAS CITY, MO., CASE #'s 2243354-4 and 2243355-1 and 2243356-9 filed in that case – copy hereon attached), wherein duff demanded but was denied; (quoting from said answer in Muni case)

1. That this court convenes an adversarial hearing, with a competent record, thereof to determine the validity of the exculpatory evidence herein provided;
2. That this court provide this defendant with a jury of his peers for the adjudication of this matter should this court fail to dismiss as requested;
3. That this court provide this defendant with counsel to advise defendant with respect to the courts demand for specific adherence to, pleadings and procedure;
4. That this court proceeds upon a competent court of record in all proceedings associated with this action or should this court not be a court of record as that phrase is judicially understood in the controlling constitution of 1820 that it certify this case to such a court of record without delay;
5. That this court compel its agents to return all Duff's property to him at 108 NW 101 Pl Kansas City, Mo 64155 today.
6. That this court, today, whether it dismisses the Cities action or not, issue a declaratory judgment, in favor of William Duff, to all agencies within its venue Declaring that William

40 Duff is not to be further harassed, restrained or bothered by any agent of City of Kansas City,  
41 Missouri respecting the charges associated herein unless probable cause that an intentional  
42 injury has resulted from Duff's act and there is an injured party ready and willing to seek  
43 remedy for same.

44 And;

45 The rights of action involved in that case are currently being adjudicated in this court on case #07CY-  
46 CV06125 and;

47 In case #07CY-CV06125 defense counsel assured this court that the rights of action belonging to  
48 William Duff would be fairly adjudicated by that court<sup>1</sup> but in fact, as duff informed this court would  
49 happen, the Municipal court made no effort to do so when that question was before it (see affirmative  
50 defense), and;

51 That no evidence that the State of Missouri or the City of Kansas City possessed any title or interest to  
52 duff's life or property whatsoever. As such, no authority to determine the use thereof was proven and  
53 no jurisdiction arose.

54  
55 Wherefore, in that duff has a right to a court of record and to a jury of his peers and to civil discovery  
56 and whereas the Muni court refused to provide none of them and also refused to have proven necessary  
57 elements of the Kansas City, Mo action, that action and judgment should be quashed and removed to  
58 this court of proper adjudication, and duff prays this court issue writ of mandamus compelling same.


59 *OR, in the alternative, De Novo to the Court.*

60 With all due Respect

61   
62 William Duff

10/8/2007

63  
64 Email [williamduff@kcm.com](mailto:williamduff@kcm.com)

65  
66   
67 I hereby certify copy of the foregoing sent to;  
68 Municipal Court of Kansas City, MO , room A the honorable judge Williams  
69 Kansas City, Mo prosecuting attorney  
70 Emily Dodge, ass't attorney general of Missouri  
71

<sup>1</sup> "DEFENDANTS' MOTION TO DISMISS,,,,, SECTION – ARGUMENT- para 1 beginning on line 5 thereof "Mr. Duff will have the opportunity to raise issues surrounding his violations of the law and the legality of the actions of the Defendant police officers in those proceedings"