

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI**

LAJUNTA BROWN, INDIVIDUALLY)
AND AS NEXT FRIEND TO A.B.,)
APRIL JONES, INDIVIDUALLY AND)
AS NEXT FRIEND TO J.S. AND G.J.,)
AND TENA WILSON, INDIVIDUALLY)
AND AS NEXT FRIEND TO J.J.W.,)

Plaintiffs,)

v.)

MEHLVILLE SCHOOL DISTRICT R-9)
BOARD OF EDUCATION,)
(Hold Service))

Defendant.)

Case No.: _____

Division: _____

**PLAINTIFFS' VERIFIED MOTION FOR TEMPORARY
RESTRAINING ORDER**

COME NOW Plaintiffs Lajunta Brown, April Jones, Tena Wilson (collectively referred to hereinafter as "Plaintiffs") and for their motion for a temporary restraining order pursuant to Rule 92.02(a)(3), state as follows:

1. This action challenges Defendant Mehlville School District R-9 Board of Education's ("Defendant") limitations on the number of students allowed to transfer to Mehlville School District R-9 ("MSD") from unaccredited school districts pursuant to § 167.131 RSMo. See Verified Petition, filed [Date].

2. This Court should grant this motion for a temporary restraining order, because absent an order restraining the Defendant from impermissibly limiting the number of students allowed to transfer to MSD from unaccredited districts, Plaintiffs will be forced to leave their children in unaccredited school districts or enroll their children in less desirable school districts.

3. Even at this early stage of this litigation, it is apparent the Plaintiffs likely will

prevail on the merits of this case. Turner v. School Dist. of Clayton, 318 S.W.3d 660, 669 (Mo. banc 2010) (holding that “§ 167.131.2 does not give an accredited school chosen by a student discretion to deny admission to that student”).

4. This motion is accompanied by a Verified Petition.

WHEREFORE, Plaintiffs request that this Court:

a. issue a temporary order immediately enjoining and restraining Defendant, its affiliated agents, employees, and other individuals or entities over which it has control, from limiting or attempting to limit the number of students allowed to transfer from an unaccredited district in the same or adjoining county to MSD under § 167.131 RSMo;

b. issue a temporary order immediately enjoining and restraining Defendant, its affiliated agents, employees, and other individuals or entities over which it has control, from denying admission to any students requesting transfer from Riverview Gardens School District to the MSD under § 167.131 RSMo;

c. set this matter for a preliminary injunction hearing; and

d. provide Plaintiffs with such other and further relief that this Court deems just and proper.

Respectfully submitted,

THE SCHINDLER LAW FIRM, P.C.,

Joshua M. Schindler, #37891
141 North Meramec, Suite 201
Saint Louis, MO 63105
Tel: (314) 862-1411
Fax: (314) 862-1701
josh@schindlerlawfirm.com

Attorneys for Plaintiffs

DRAFT