

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No. 14-2220

DAVID S. ZINK, MICHAEL WORTHINGTON, LEON TAYLOR, WALTER T.
STOREY, EARL RINGO, RODERICK NUNLEY, PAUL T. GOODWIN,
ANDRE COLE, REGINALD CLEMONS, CECIL CLAYTON, MARK A.
CHRISTESON, RUSSELL EARL BUCKLEW, DAVID M. BARNETT,
RICHARD STRONG, MARCELLUS WILLIAMS,

Appellants,

v.

GEORGE A. LOMBARDI, Director, Missouri Department of Corrections,
DAVID DORMIRE, Director, Division Adult Institutions, Missouri Department of
Corrections, MATTHEW BRIESACHER, Counsel, Missouri Department of
Corrections, TERRY RUSSELL, Warden, Eastern Regional Diagnostic &
Correctional Center, JOHN DOES 2-40

Appellees.

Appeal from the United States District Court
for the Western District of Missouri, Central Division,
The Honorable Beth Phillips, District Judge

BRIEF OF APPELLANTS

Joseph W. Luby*
Death Penalty Litigation Clinic
6155 Oak Street, Suite C
Kansas City, MO 64113
(816) 363-2795
jluby@dplclinic.com

Elizabeth Unger Carlyle
6320 Brookside Plaza #516
Kansas City, MO 64113
(816) 525-6540
elizabeth@carlyle-law.com

Counsel for Appellants

**Additional counsel listed on inside cover*

John William Simon
Constitutional Advocacy, L.L.C.
7201 Delmar Blvd, Suite 201
St. Louis, MO 63130-4106
(314) 604-6982
simonjw1@yahoo.com
*Counsel for Appellants Bucklew
and Ringo*

Cheryl Ann Pilate, Mo. 42266
Morgan Pilate LLC
926 Cherry Street
Kansas City, MO 64106
(816) 471-6694
cpilate@morganpilate.com
Counsel for Appellant Bucklew

Jennifer Herndon
224 Hwy 67 North, # 122
Florissant, Mo 63031
(314) 831-5531
jenniferherndon@me.com
*Counsel for Appellants Goodwin,
Nunley, Strong, and Storey*

Richard H. Sindel
Kathryn B. (Kay) Parish
Sindel Sindel & Noble, P.C.
8000 Maryland, Suite 350
Clayton, Missouri 63105
(314) 721-6040
rsindel@sindellaw.com
kparish@sindellaw.com
*Counsel for Appellants Barnett,
Ringo, and Zink*

Michael J. Gorla
555 Washington Ave., Suite 600
St. Louis, Missouri 63101
(314) 621-1617
mjgorla@msn.com
*Counsel for Appellants Goodwin,
Nunley, and Strong*

Eric W. Butts
555 Washington Ave., Suite 600
St. Louis, Missouri 63101
(314) 621-1617
ewbtts@sbcglobal.net
Counsel for Appellant Christeson

Susan M. Hunt
819 Walnut
Kansas City, Missouri 64106
(816) 221-4588
shunt5733@aol.com
Counsel for Appellant Clayton

Lowell D. Pearson
Husch Blackwell LLP
235 East High Street
Jefferson City, Missouri 65102-1251
(573) 761-1115
lowell.pearson@huschblackwell.com
Counsel for Appellant Clemons

Gary E. Brotherton
Legal Writes, LLC 640
601 West Nifong Blvd.
Building 1, Suite C
Columbia, Missouri 65203
(573) 875-1571
gebrotherton@legalwritesllc.com
Counsel for Appellant L. Taylor

Phillip M. Horwitz
640 Cepi, Suite A
Chesterfield, Missouri 63005
(636) 536-9644
pmhlth1@aol.com
Counsel for Appellant Christeson

Kevin L. Schriener
Law & Schriener, LLC
141 N. Meramec Ave. # 314
Clayton, Missouri 63105-3705
(314) 480-3389
kschriener@schrienerlaw.com
Counsel for Appellant Storey

Jessica E. Sutton
Death Penalty Litigation Clinic
6155 Oak Street, Suite C
Kansas City, Missouri 64113
(816) 363-2795
jsutton@dplclinic.com
Counsel for Appellant Cole

Gino F. Battisti
Foley & Mansfield, PLLP
1001 Highlands Plaza Dr. W.
Suite 400
St. Louis, MO 63110
(314) 925-5700
gbattisti@foleymansfield.com
Counsel for Appellant Worthington

Kent E. Gipson
121 E. Gregory Boulevard
Kansas City, Missouri 64114
(816) 363-4400
kent.gipson@kentgipsonlaw.com
*Counsel for Appellants Worthington
and Williams*