

STATE OF MISSOURI)
) SS
CITY OF ST. LOUIS)

FILED
APR 27 2023

MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
(City of St. Louis)

22ND JUDICIAL CIRCUIT
CIRCUIT CLERK'S OFFICE
BY _____ DEPUTY

STATE OF MISSOURI,)
)
Plaintiff,)
)
vs.) No. 2122-CR00600-01
)
STEVEN LINELL VINCENT, JR.,) Division No. 22
)
Defendant.)

ORDER

Circuit Attorney Kim Gardner was served with a Notice and Order to Show Cause directing her, or a designated assistant circuit attorney, to appear before this Court on April 27, 2023 to show cause why she should not be held in contempt based on an alleged willful failure to appear in Division 22 on April 10, 2023 and April 24, 2023.

Ms. Gardner did not appear. Assistant Circuit Attorney Mr. Eusef Hug appeared on her behalf. Assistant Circuit Attorney Mr. Chris Desilets appeared.

The question before the Court is whether Ms. Gardner and Mr. Desilets' failure to appear on April 10, 2023 and April 24, 2023 amount to disdain and disrespect for the Court.

The Circuit Attorney's Office appears to be a rudderless ship of chaos. Ms. Gardner is the Circuit Attorney and it is her duty to manage the caseload of each staff member. Mr. Desilets has approximately 104 felony cases. Any prudent practitioner would expect such a caseload to create countless irreconcilable conflicts. It does not appear she has made any reasonable efforts to prevent the resulting chaos. It appears that Ms. Gardner has complete indifference to and a conscious disregard of the judicial process.

There is sufficient evidence of disdain and disrespect for the judicial process to determine that both Ms. Gardner and Mr. Desilets' conduct support a finding of indirect criminal contempt.

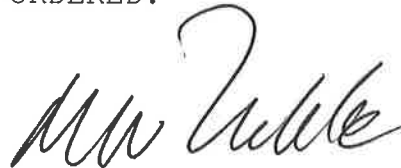
Furthermore, an attorney's violation of a court's order constitutes an intentional disobedience and shows a clear intent to disregard the power and authority of the judicial process. If a court allows such disobedience to continue, then its orders will become ineffective thereby undermining the judicial system.

The Court finds there is the requisite conduct and intent which could support a finding of intentional disregard for the judicial process. Ms. Gardner has counsel. Mr. Desilets has the right to retain counsel. Both will be afforded their due process rights to discovery and to prepare a defense.

The procedure for indirect criminal contempt is governed by Rule 36.01(b). Pursuant to the Rule, the Court will appoint a Special Prosecutor for this matter.

The Court will allow a reasonable time for the preparation of a defense. Accordingly, the Court sets this matter for hearing on Tuesday, May 30, 2023 at 9:30 a.m.

SO ORDERED:



MICHAEL W. NOBLE, Judge

Dated: _____

4/27/23