

**BEFORE THE CIRCUIT COURT OF COLE COUNTY  
STATE OF MISSOURI**

RONALD CALZONE,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 15AC-CC00247
	)	
STATE OF MISSOURI et. al.,	)	
	)	
Respondents.	)	

**JUDGMENT AND ORDER**

NOW on this 25th day of January, 2016, this cause came for disposition. Trial was held on January 12, 2016. Respondents appeared by counsel, Assistant Attorney General Curtis Schube. Petitioner appeared *pro se*. The Court, having reviewed evidence in this case, now enters the following order and judgment, finding that Petitioner does not have standing for the following reasons:

“Generally, an individual does not have standing to seek redress of a public wrong, or of a breach of public duty, if such individual’s interest does not differ from that of the public generally, even though the complainant’s loss is greater in degree than that of other members of the public.” *Hinton v. City of St. Joseph*, 889 S.W.2d 854, 859 (Mo. App. 1994). To assert standing, Petitioner is to show a “special injury,” that are “different than the injuries which would be suffered by the public as a whole.” *Ours v. City of Rolla*, 965 S.W.2d 343, 345

(Mo. App. S.D. 1998). Petitioner’s interest in this legislation is limited to his status as a lobbyist. This interest “does not differ from that of the public generally” and his injuries are not “different than the injuries which would be suffered by the public as a whole.” Additionally, Section 116.190, RSMo, applies to ballot initiatives, not constitutional challenges to a bill.

With regard to taxpayer standing, to establish taxpayer standing, “a taxpayer must establish that one of three conditions exists: (1) a direct expenditure of funds generated through taxation; (2) an increased levy in taxes; or (3) a pecuniary loss attributable to the challenged transaction of a municipality.” *Manzara v. State*, 343 S.W.3d 656, 659 (Mo. 2011). “[A] direct expenditure of public funds generated through taxation is a sum paid out, without any intervening agency or step, of money or other liquid assets that come into existence through the means by which the state obtains revenue required for its activities.” *Manzara*, 343 S.W.3d at 660. Petitioner has only established that SB 672 results in an “estimated net effect” of an expenditure of state funds. Petitioner does not, however, establish “a direct expenditure of funds” pursuant to *Manzara*.

Judgment is ordered in the favor of the Respondents.

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Honorable Daniel Richard Green, Circuit Judge

Date: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served via electronic mail, on this 22nd day of January, on the following:

**Ronald J. Calzone**, *pro se*  
Ron@Mofirst.org

/s/ Curtis Schube  
Assistant Attorney General