

Attach. L

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, MISSOURI  
AT POTOSI, MISSOURI DIVISION

Woodland Lakes Trusteeship, Inc.	)	
	)	
Plaintiff,	)	
vs.	)	Cause No. <sup>13</sup> <del>12</del> WA-CC00410
	)	Incorrectly Transferred from
David Campbell [SIC], and,	)	Crawford County Circuit
Catrenia Campbell	)	
	)	as Case 12CF-CC00030
Defendants.	)	

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**OBJECTION TO CLERK ROY AND JUDGE HESS ALLEGING  
APPELLANTS' SOLE EXHIBIT WAS RETRIEVED FROM MAIL  
STREAM APPROXIMATELY TWO WEEKS PRIOR TO MANDATE  
ISSUING WHEN EVIDENCE SHOWS IT WAS LAST SEPTEMBER**

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COME NOW DEFENDANTS, Dave [not DAVID] Campbell  
(hereafter referred to as "*the Campbells*") and Catrenia Dawn Campbell with  
notice of their objection into the record, as follows:

1. Chief Judge Philip M. Hess ordered in this appeal, "*Appellants allege that the clerk of the court committed fraud upon the court and spoliation of evidence by concealing Exhibit 1. For proof of these allegations, appellants quote from a voice mail of May 3, 2017 in which the clerk stated, 'you had left me a message, oh, a couple of weeks ago. And, I went and I pulled it [the exhibit] out of the file and I've had it in my office.'*"

2. On May 16, 2017, Chief Judge Philip M. Hess alleged

*"Appellants assert this means 'Appellants Exhibit One has remained in Ms. Roy's office since last September and, therefore prejudicially was not made part of this appeal.'"*

3. Judge Hess' aforesaid allegation is not the only proof we submitted to Missouri's Eastern District Court of Appeals in alleging *"spoliation of evidence."*

4. We submitted Clerk Roy's 05/03/17 voicemail in its entirety in motioning to set aside the mandate for fraud upon the court.

5. In posting the 05/16/17 Court Order against us, Judge Hess did omit much of Clerk Roy's confession, which confessed:

*"Like I said, I got your phone call a couple of weeks ago, I think. And, I was -- you know, I couldn't return it prematurely, but now I can. And I've just had it here in my office waiting to get it back to you. You know, I had to go and get it from the file. And I remember this. I think I had to get out of the mail and then I had to get in the file and then -- Anyway, I have it now."*

6. The interpretation of Judge Hess' and Clerk Roy's version of this issue is that Appellants' Exhibit One was pulled out of the mail stream approximately two weeks prior to the mandate having issued, which is false! There is no notation in the record to support said claim.

7. Ambiguously, Ms. Roy stated into the record to have returned Appellants' Exhibit One last September and did not correct the record last September when Ms. Roy retrieved Appellants' Exhibit one from the mail

stream.

8. Judge Hess' Order ambiguously alleges, *"The voice mail makes clear the exhibit had been in the file and was not taken into her office until two weeks before May 3, 2017."*

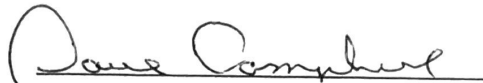
9. For proof of the exhibit being in the file, Judge Hess simply declared/ordered the exhibit was in the file at the time the appeal was heard, because Clerk Roy said the exhibit was in the file. The clerk's own voicemail confession conflicts Judge Hess' ambiguous *"Order."*

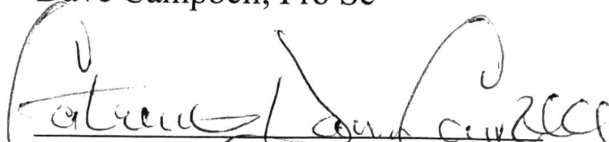
10. We adamantly disagree with and object to Judge Hess' court order that the voicemail makes it clear their sole exhibit *"was not taken into her office until two weeks before May 3, 2017,"* because the voicemail clearly states, *"And I've just had it here in my office waiting to get it back to you. You know, I had to go and get it from the file. And I remember this. I think I had to get out of the mail and then I had to get in the file and then -- Anyway, I have it now"* and because the Campbells know for a fact that it was in September of 2016 when Clerk Roy retrieved the sole exhibit from the mail stream after notating in the record she had mailed it back to us.

11. The Campbells adamantly object to Missouri's Eastern District Court of Appeals spoliation of Appellants' Exhibit One.

Respectfully Submitted,

Signed and served this 24<sup>th</sup> day of June, 2017.

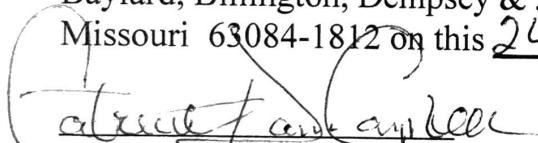
  
Dave Campbell, Pro Se

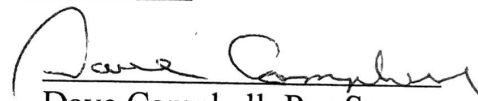
  
Catrenia Dawn Campbell, Pro Se

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**CERTIFICATE OF SERVICE:**

We hereby certify to have served a copy of this objection via US First Class Mail to Plaintiff at: Mr. Damian R. Struzzi, Attorney At Law, % Baylard, Billington, Dempsey & Jensen, 30 South McKinley Ave., Union, Missouri 63084-1812 on this 24<sup>th</sup> day of June, 2017.

  
Catrenia Dawn Campbell

  
Dave Campbell, Pro Se