

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** transferring \$14,107.00 within the 2012 General Fund for use by the Circuit Court to cover special prosecutor's fees.

**RESOLUTION #17983**, September 24, 2012

**INTRODUCED BY** James D. Tindall, County Legislator

WHEREAS, by order of the Circuit Court, special prosecutors are appointed to handle the prosecution of particular cases, most often when the Prosecuting Attorney's Office has a conflict of interest in the matter; and,

WHEREAS, special prosecutor S. Chase Higinbotham, Jr., has submitted an invoice in the amount of \$42,450.83 for special prosecutor fees which have been found to be reasonable and necessary by order of the Circuit Court; and,

WHEREAS, a transfer is necessary to cover the cost of the special prosecutor that exceeds what was budgeted for 2012; and,

WHEREAS, the County Executive recommends said transfer; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfer within the 2012 General Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund Non-Departmental 001-5101	56020 – Legal Service	\$14,107	
General Fund Special Prosecution 001-8004	56020 - Legal Services		\$14,107

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

*Greg D. Hall*  
Chief Deputy County Counselor

*W. Stephen Nifon*  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17983 of September 24, 2012, was duly passed on *October 1*, 2012 by the Jackson County Legislature.

The votes thereon were as follows:

Yeas *7*

Nays *0*

Abstaining *0*

Absent *2*

*10-1-12*  
Date

*Mary Jo Spino*  
Mary Jo Spino, Clerk of Legislature

Funds sufficient for this transfer are available from the source indicated below.

ACCOUNT NUMBER: 001 5101 56020  
ACCOUNT TITLE: General Fund  
Non-Departmental  
Legal Services  
NOT TO EXCEED: \$14,107.00

*September 19, 2012*  
Date

*D. Lawrence Thomas*  
Director of Finance and Purchasing

**Fiscal Note:  
Jackson County, Missouri**

Funds sufficient for this transfer are available from the sources indicated below.

Date: September 18, 2012      PC# \_\_\_\_\_      RES # 17983

Department / Division	Character/Description	From	To
<b>General Fund - 001</b>			
5101 - Non-departmental	56020 - Legal Services	14,107	
8004 - Special Prosecution	56020 - Legal Services		14,107
		14,107	14,107

*Alexander S Ball* 9-18-12  
Budgeting

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY, MISSOURI

STATE OF MISSOURI

Plaintiff,

ADMIN. ORDER NO. 2012- 121  
(Appting Admin Order No. 2008 - 062)

vs.

Case No: 0716-CR01985-01

Division 10, Presiding Judge

MARLYN L STANDIFER

Defendant.

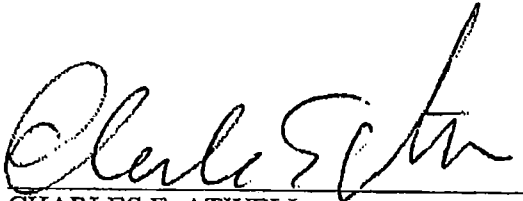
**ORDER FOR SPECIAL PROSECUTOR FEES**

Now on this day, upon consideration of the Special Prosecutor's Invoice for special prosecutor fees in the above-captioned cause in the amount of \$42,450.83, and the Court finding that the fees are reasonable and necessary,

**IT IS HEREBY ORDERED** that payment shall be made to S. Chase Higinbotham, Jr., Special Prosecutor, in the amount of \$42,450.83 for special prosecutor fees.

**IT IS SO ORDERED.**

Dated: SEPTEMBER 5, 2012

  
\_\_\_\_\_  
CHARLES E. ATWELL,  
Presiding Judge

Copies mailed/faxed to the following:

COURT ADMINISTRATOR

S. CHASE HIGINBOTHAM, JR.  
117 BRADFORD LANE  
BELTON, MO 64102

/s/ Michael Powers

\_\_\_\_\_  
Michael Powers, Law Clerk, Division 10

**SPECIAL PROSECUTOR FEES APPROVAL FORM**

**Please review the attached invoice for special prosecutor fees and approve as submitted or modify.**

**Please return this form and any attached documents to Division 10.**

**Thank you.**

**CASE:** STATE OF MISSOURI v. MARLYN L. STANDIFER  
0716-CR01985-01

**TRIAL JUDGE:** Judge Edith Messina, Division 12

**SPECIAL PROSECUTOR:** Chase Higgenbotham

**REQUESTED FEE:** \$42450.83

  X   **APPROVED AS SUBMITTED**

           **MODIFIED FEE AMOUNT**

8/30/2012  
**DATE**

Edith L. Messina  
**The Honorable Edith Messina**

*Michelle S. Higinbotham  
S. Chase Higinbotham, Jr.\*  
Attorneys at Law*



200 N.E. Missouri Rd, Ste 200, Lee's Summit, Missouri 641

*Mailing Address:  
P.O. Box 325  
Lee's Summit, MO 64063*

## HIGINBOTHAM & HIGINBOTHAM

August 16, 2012

Joni Matthews  
Office of Court Administrator  
Jackson County Courthouse  
415 E. 12<sup>th</sup> St.  
Kansas City, MO 64106

RE: State of Missouri v. Marlyn L. Standifer, Case No. 0716-CR01985-02;

Dear Ms. Matthews:

Enclosed please find a copy of the order from the Court. I spent a total of 246.0 hours on these cases, 184.0 performed out of court and 62.0 performed in court. Therefore I request a total of \$27700.00 for Special Prosecutor fees in these cases. In addition, I requited the services of my law partner during the trial preparation and the seven days of trial, and a separate invoice for \$13600.83 is attached. We also required the services of an IT professional to show various video segments to the jury, and his invoice of \$1150.00 is attached. I base this request on the Court-approved rate of \$100.00 per hour for all work performed out-of-court and \$150.00 per hour for in court work. Please note that these hours were for a motion for new trial based upon newly-discovered evidence and the re-trial of a homicide. Please feel free to contact me or Michelle if you have any questions. Thank you for your assistance in this matter.

Sincerely,

S. Chase Higinbotham, Jr.

:mrh  
Enclosures  
cc: File

MAY. 1. 2008 2:09PM

JACKSON CTY DIV 6 & 8

NO. 462 P. 1/1

IN THE CIRCUIT COURT OF JACKSON, MISSOURI  
IN KANSAS CITY

STATE OF MISSOURI,

Plaintiff,

vs.

MARLYN L. STANDIFER,

Defendant.

ADMIN. ORDER #2008-162

Case No. 0716-CR01985-01  
0716-CR01995-01  
0716-CR01950-01  
0716-CR01966-01

Division 8

**ORDER APPOINTING SPECIAL PROSECUTOR**

Pursuant to the Motion for the appointment of Special Prosecutor heretofore filed by Mona Spencer, attorney for the defendant, the Court does on this date appoint Chase Higinbotham as Special Prosecutor, for the review and disposition of the above captioned case.

4-30-08  
DATE

  
PEGGY STEVENS MCGRAW  
PRESIDING JUDGE

Filed on this 30<sup>th</sup> day of April, 2008 to:

Kevin D. Harrell      x3995  
Michael Hunt        x3995  
Mona Spencer        792-8267  
Chase Higinbotham    322-5298



**S. CHASE HIGINBOTHAM, JR.**  
**Attorney at Law**  
**200 NE Missouri Rd., Suite 200**  
**Lee's Summit, Missouri 64086**  
**(816) 322-5297**

August 16, 2012

**STATEMENT**

Bill To:

Jackson County Court Administrator  
415 E. 12<sup>th</sup> St.  
Kansas City, MO 64106

**STATE OF MISSOURI V. MARLYN L. STANDIFER**, Case No.: 0716-CR01985-02;

1/20/10	t/c victim mom	0.5
2/16/10	t/c victim mom	0.5
3/10/10	fax transcript to ct reporter	0.5
3/18/10	t/c victim mom	0.5
4/12/10	t/c victim mom	0.5
4/22/10	fax transcript to App. PD	0.5
8/16/10	t/c victim mom	0.5
8/17/10	t/c victim mom	0.5
8/19/10	t/c victim sister	0.5
10/10/10	t/c App. PD	0.5
10/13/10	deliver exhibits to AG	1.5
12/03/10	t/c victim mom	0.5
12/09/10	t/c witness	0.5
12/22/10	t/c AG	0.5
2/25/11	research	2.5
3/29/11	ltr to ct	0.5
4/01/11	emails	0.5
4/26/11	research	3.5

4/27/11	prepare & file motion	4.5
4/29/11	hrng MNT #2	1.0
4/29/11	t/c victim mom	0.5
4/29/11	t/c victim dad	0.5
4/30/11	t/c victim mom	0.5
5/11/11	t/c vivtim mom	0.5
5/11/11	t/c App. PD	0.5
5/13/11	hrng MNT #2	2.5
5/13/11	t/c victim mom	0.5
5/19/11	t/c victim mom	0.5
5/20/11	t/c AG	0.5
5/20/11	fax order to AG	0.5
5/25/11	emails	0.5
5/26/11	t/c victim dad	0.5
5/27/11	prepare and send ltr	0.5
5/27/11	prepare and send ltr	0.5
6/03/11	t/c victim mom	0.5
6/06/11	emails	0.5
6/07/11	t/c ct	0.5
6/07/11	case mnngt conf	1.5
6/09/11	t/c JACO prosecutor	0.5
6/10/11	t/c witness	0.5
6/17/11	t/c ct	0.5
6/18/11	research	2.5
7/07/11	t/c PD	0.5
7/20/11	t/c victim mom	0.5
7/20/11	meet with family, Clinton, MO	4.5
7/21/11	t/c victim mom	0.5
7/26/11	case mnngt conf	2.0
7/28/11	t/c victim mom	0.5
8/08/11	p/u transcript PD	2.5
8/26/11	meeting w/ JACO prosecutor	1.5
9/09/11	t/c witness	0.5
9/09/11	t/c witness	0.5
9/10/11	t/c victim mom	0.5
9/13/11	fax order	0.5
9/14/11	research	1.5
9/16/11	emails	0.5
9/16/11	t/c victim mom	0.5
11/07/11	review fax	1.5
12/09/11	t/c victim dad	0.5
12/16/11	research	2.5
12/27/11	prepare & file amended charge	2.5

2/15/12	t/c victim dad	0.5
2/16/12	emails	0.5
2/16/12	review fax	0.5
2/23/12	t/c victim mom	0.5
2/23/12	t/c witness	0.5
2/24/12	meeting w/ family, Clinton, MO	4.0
2/24/12	t/c ct	0.5
3/26/12	prepare & send ltr	0.5
3/29/12	research	2.5
3/29/12	prepare & file motion	1.5
3/30/12	emails	0.5
3/30/12	t/c PD	0.5
4/04/12	t/c victim dad	0.5
4/05/12	t/c US Marshall	0.5
4/06/12	prepare & serve subpoena	0.5
4/06/12	Bond hrng	2.5
4/06/12	t/c victim mom	0.5
4/13/12	p/u disc JCJ	1.5
4/30/12	copy disc for PD	2.5
5/03/12	deliver disc to PD	2.5
7/10/12	t/c PD	0.5
7/10/12	t/c witness	0.5
7/13/12	emails	0.5
7/16/12	emails	0.5
7/16/12	t/c witness	0.5
7/16/12	t/c witness	0.5
7/17/12	t/c PD	0.5
7/18/12	emails	0.5
7/18/12	t/c witnesses	2.5
7/19/12	t/c witness	0.5
7/19/12	depos	5.5
7/20/12	prepare trial	4.5
7/24/12	prepare trial	3.0
7/26/12	prepare trial	2.5
7/27/12	serve subpoenas	3.0
7/28/12	prepare trial	4.0
7/29/12	prepare trial	3.0
7/31/12	serve subpoenas	2.5
8/01/12	prepare trial	4.0
8/02/12	emails	0.5
8/03/12	prepare trial	3.0
8/04/12	prepare trial	8.0
8/05/12	prepare trial	8.0

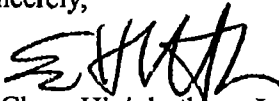
8/06/12	trial	5.0
8/06/12	prepare trial	6.0
8/07/12	trial	11.0
8/07/12	prepare trial	6.0
8/08/12	trial	5.5
8/08/12	prepare trial	6.0
8/09/12	trial	8.0
8/09/12	prepare trial	6.0
8/10/12	trial	9.0
8/10/12	prepare trial	6.0
8/11/12	prepare trial	6.0
8/12/12	prepare trial	5.0
8/13/12	trial	9.0
8/13/12	prepare trial	4.0
8/14/12	trial	5.0
8/14/12	prepare trial/re-deliver evidence	5.0
8/15/12	p/u exhibits	1.5

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Total 246.0 hrs

Out of Court: 184.0 hrs @ \$100.00 = \$18400.00  
 In Court: 62.0 hrs @ \$150.00 = \$9300.00  
 TOTAL: \$27700.00

Sincerely,



S. Chase Higinbotham, Jr.

**EIN 77-0615098**

:sch

cc: File



**HIGINBOTHAM & HIGINBOTHAM**  
**ATTORNEYS AT LAW**  
**P.O. BOX 325**  
**Belton, MO 64063**  
**(816) 322-5297**

August 18, 2012  
Invoice Number: 1127

**CIRCUIT COURT JACKSON COUNTY**  
**SPECIAL PROSECUTOR**  
**415 E. 12TH STREET**  
**KANSAS CITY, MISSOURI 64106**

7/29/2012	Trial Preparation	4.00	\$100.00	\$0.00	\$400.00
7/30/2012	Trial Preparation	8.00	\$100.00	\$0.00	\$800.00
7/31/2012	trial Preparation	4.00	\$100.00	\$0.00	\$400.00
8/1/2012	Trial Preparation	5.08	\$100.00	\$0.00	\$508.33
8/2/2012	Trial Preparation	3.00	\$100.00	\$0.00	\$300.00
8/3/2012	Trial Preparation Motion research	8.00	\$100.00	\$0.00	\$800.00
8/4/2012	Trial Preparation	8.00	\$100.00	\$0.00	\$800.00
8/5/2012	Trial Preparation	8.00	\$100.00	\$0.00	\$800.00
8/6/2012	Trial	5.00	\$150.00	\$0.00	\$750.00
8/6/2012	Trial Preparation	4.00	\$100.00	\$0.00	\$400.00
8/7/2012	Trial Preparation Motion research/response/evidence	8.00	\$100.00	\$0.00	\$800.00
8/8/2012	Trial	5.08	\$150.00	\$0.00	\$762.50
8/8/2012	Trial Preparation	4.00	\$100.00	\$0.00	\$400.00
8/9/2012	Trial	8.00	\$150.00	\$0.00	\$1,200.00
8/9/2012	Trial Preparation	1.05	\$100.00	\$0.00	\$105.00
8/10/2012	Trial	9.00	\$150.00	\$0.00	\$1,350.00

8/11/2012	Trial Preparation	3.00	\$100.00	\$0.00	\$300.00
8/12/2012	Trial Preparation	3.25	\$100.00	\$0.00	\$325.00
8/13/2012	Trial	9.00	\$150.00	\$0.00	\$1,350.00
8/14/2012	Trial	5.00	\$150.00	\$0.00	\$750.00
8/14/2012	Trial Preparation	5.00	\$100.00	\$0.00	\$500.00

# INVOICE

Leon Shih

4944 SW Gull Point Dr  
Lee's Summit, MO 64082  
(314) 398-2732  
LeonShih@gmail.com

DATE August 10, 2012

TO Higinbotham & Higinbotham Law  
PO Box 325  
Lees Summit, MO 64063

Leon Shih	Video Assistance		
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10.00	Pretrial video preparation (hours)	\$ 50.00	\$ 500.00
6.50	Trial video assistance, on-site (hours)	\$ 100.00	\$ 650.00
<b>SUBTOTAL</b>			\$ 1,150.00
<b>SALES TAX</b>			
<b>TOTAL</b>			\$ 1,150.00

Please make all checks payable to: Leon Shih  
**THANK YOU FOR YOUR BUSINESS!**