

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI

**FILED**  
MAY - 3 2023

22<sup>ND</sup> JUDICIAL CIRCUIT  
CIRCUIT CLERK'S OFFICE  
BY \_\_\_\_\_ DEPUTY

In re:

STATE OF MISSOURI, )  
Plaintiff, )  
)  
)  
)  
Kimberly Gardner )  
Defendant. )

Cause no 2322-CC00874  
Division 1

ORDER

This matter comes before the Court for the Appointment of a Special Prosecutor. The Circuit Attorney and an assistant circuit attorney are the subject of the contempt hearing and therefore disqualified. This Court has the inherent authority to appoint a special prosecutor, see State ex. inf. Fuchs v. Foote, 903 S.W.2d 535, 537 (Mo. Banc 1995), as well as statutory authority pursuant to Section 56.110, RSMo.

The Court now orders that Allison Lee, Bar #45153 is appointed as Special Prosecutor herein. It is further ORDERED that the appointed Special Prosecutor, pursuant to Section 56.130 RSMo, shall possess the same power as the Circuit Attorney for the purposes of this appointment.

Pursuant to Section 56.130, the Special Prosecutor is entitled to reasonable expenses, including but not limited to mileage, related to this appointment and it is hereby ORDERED that the City of St. Louis shall promptly pay any such fee pursuant to Section 476.270 RSMo.

It is further ORDERED that the Special Prosecutor shall have the power to hire an investigator or staff as is reasonably necessary to fulfill her duties herein.

SO ORDERED



Elizabeth Byrne Hogan  
Presiding Judge

**ENTERED**

MAY - 3 2023

LK