

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

GENA FULLER, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 2:12-cv- 4300 FJG
	)	
JEFF NORMAN, et al.,	)	
	)	
Defendants.	)	

**SUGGESTIONS IN SUPPORT OF PLAINTIFFS’  
MOTION FOR PRELIMINARY INJUNCTION**

**I. Factual Background**

Plaintiffs are five unmarried women who reside in Missouri and are over the age of eighteen Declaration of Gena Fuller (Ex. A) at ¶¶ 1-3; Declaration of Jymie Jo Essick (Ex. B) at ¶¶ 1-3; Declaration of Mary Pierce (Ex. C) at ¶¶ 1-3; Declaration of Doloris LaRose (Ex. D) at ¶¶ 1-3; Declaration of Roena Redmond (Ex. E) at ¶¶ 1-3. Each is engaged to be married. Ex. A at ¶ 5; Ex. B at ¶ 5; Ex. C at ¶ 5; Ex. D at ¶ 5; and Ex. E at ¶5. Each of the men to whom a Plaintiff is engaged is an inmate serving a sentence at Jefferson City Correctional Center. Ex. A at ¶ 5; Ex. B at ¶ 5; Ex. C at ¶ 5; Ex. D at ¶ 5; and Ex. E at ¶ 5.

The Missouri Department of Corrections allows marriages in which one partner is an inmate to be solemnized on two dates each year. At JCCC, marriages are solemnized in March and September.

Each Plaintiff and her respective fiancé received MODOC advance approval to be married on September 24, 2012, at JCCC. Ex. A at ¶ 7; Ex. B at ¶ 7; Ex. C at ¶ 7; Ex. D at ¶ 7; and Ex. E at ¶ 7. In addition to MODOC approval, however, each Plaintiff was

required to obtain a marriage license before her marriage could be solemnized. Missouri law criminalizes the solemnization of any marriage unless a marriage license has been issued. MO. REV. STAT. § 451.120. What is more, a marriage solemnized without a license is not recognized as valid. MO. REV. STAT. § 451.040.1. This is where Defendants', amongst them, scuttled Plaintiffs' nuptials.

Missouri law requires both applicants for a marriage license to sign the application "in the presence of the recorder of deeds or their [*sic*] deputy." MO. REV. STAT. § 451.040.2. Shortly after receiving MODOC's approval for her September 24, 2012, wedding, each Plaintiff traveled to the office of the Cole County Recorder of Deeds, in Jefferson City. Ex. A at ¶ 8; Ex. B at ¶ 8; Ex. C at ¶ 8; Ex. D at ¶ 8; and Ex. E at ¶ 8. At the office, each Plaintiff signed her marriage license application and paid the \$51.00 application fee. *Id.* Before a license could be issued, each Plaintiff's fiancé also had to sign the application. MO. REV. STAT. § 451.040.2.

Plaintiffs' fiancés are in the custody of MODOC at JCCC. Ex. A at ¶ 5; Ex. B at ¶ 5; Ex. C at ¶ 5; Ex. D at ¶ 5; and Ex. E at ¶ 5. They are in custody twenty-four hours each day. They are not at liberty to leave the facility. Thus, their ability to be wed is contingent on prison officials and the Recorder of Deeds accommodating their right to be married in some fashion.

Until now, for the last seventeen years, the right of inmates to be married had been accommodated at all MODOC facilities located in Cole County in the same way. Larry Rademan, the long-serving Cole County Recorder of Deeds, would travel to the prisons and obtain the signatures of the inmates scheduled and approved to be married. Ex. A at ¶ 9; Ex. B at ¶ 9; Ex. C at ¶ 9; Ex. D at ¶ 9; and Ex. E at ¶ 9. This would permit

Rademan to issue a marriage license, which, in turn, would authorize the solemnization of a marriage that would be recognized by the State of Missouri. Rademan would schedule an appointment with prison officials, show his driver's license, gain entry, and obtain the inmate-fiancés' signatures on the marriage license applications. For the September weddings at JCCC and Algoa Correctional Center, Rademan visited the prisons in August. At Algoa, the procedure continued as it always had. Unfortunately for Plaintiffs, the practice at JCCC changed.

JCCC Deputy Warden Kelly Morris required Rademan to complete an "Application for Facility Access." Rademan completed most of the application, but he declined to disclose his social security number. As a result of Rademan's refusal to provide his social security number, Morris denied Rademen entry to JCCC. Ex. A-1, Ex. B-1, Ex. C-1, Ex. D-1, Ex. E-1. As a consequence of that denial, Plaintiffs' fiancés did not complete marriage license applications in the presence of the Recorder of Deeds. Ex. A at ¶ 10; Ex. B at ¶ 10; Ex. C at ¶ 10; Ex. D at ¶ 10; and Ex. E at ¶ 10. The effect of not completing the marriage license application was that no marriage license was issued. *Id.* Without a marriage license, Plaintiffs could not marry their fiancés, so the September 24, 2012, weddings were canceled.

Plaintiffs remain unmarried. Ex. A at ¶ 3; Ex. B at ¶ 3; Ex. C at ¶ 3; Ex. D at ¶ 3; and Ex. E at ¶ 3. Their attorneys have contacted Defendants, none of whom will budge. Rademan wrote to each Plaintiff and refunded her \$51.00 marriage license fee. Ex. A-1, Ex. B-1, Ex. C-1, Ex. D-1, Ex. E-1. Morris refuses to allow the marriages to proceed unless Rademan provides his social security number and the marriage license applications are completed at JCCC. Morris refuses to implement an alternative

accommodation of the right-to-marry, such as transporting inmates to the Rademan's office, because he views getting married as a privilege. Morris and Jeff Norman, the warden at JCCC, did not respond to a pre-suit demand letter from Plaintiffs' counsel.

## **II. Argument**

The Eighth Circuit has consistently maintained that in considering whether to issue a preliminary injunction, courts should weigh (1) the probability that the movant will succeed on the merits; (2) the threat of irreparable harm to the movant; (3) the balance between such harm and the injury that granting the injunction will inflict on the other interested parties; and (4) whether the issuance of an injunction is in the public interest. *Dataphase Sys. v. C L Sys. Inc.*, 640 F.2d 109, 114 (8th Cir. 1981); *accord Wickersham v. City of Columbia, Mo.*, 371 F. Supp. 2d 1061, 1076 (W.D. Mo. 2005).

This Court should grant Plaintiffs' request for a preliminary injunction because they are likely to succeed on the merits, each Plaintiff is irreparably harmed by continued obstruction of her fundamental right to marry the person of her choice, there will be no harm to any Defendant, and the public interest favors the preservation of constitutional rights.

### **A. Likelihood of Success on the Merits**

A party seeking a preliminary injunction must demonstrate to the court a probability that she will prevail on the merits. In the context of this case, the issue is whether the movants have a "fair chance of prevailing" on the merits of their claims. This standard applies "where a preliminary injunction is sought to enjoin something other than [a] state statute." *Planned Parenthood v. Rounds*, 530 F.3d 724, 732-33 (8th Cir. 2008). It is less "rigorous" than the standard applied "where a preliminary injunction is

sought to enjoin the implementation of a duly enacted state statute.” *Id.* Applying this standard, a party can show a probability of success on the merits with “something less than fifty percent.” *Planned Parenthood*, 530 F.3d at 730. Under any standard, however, Plaintiffs are likely to prevail on the merits.

Defendants are preventing Plaintiffs from getting married by denying their fiancés the ability to complete the required marriage license while they are in state custody at JCCC. “Marriage is one of the ‘basic civil rights of man,’ fundamental to our very existence and survival.” *Loving v. Virginia*, 388 U.S. 1, 12 (1967)(citations omitted). “[T]he designation of ‘marriage’ itself ... expresses validation, by the state and the community, and ... serves as a symbol, like a wedding ceremony or a wedding ring, of something profoundly important.” *Perry v. Brown*, 671 F.3d 1052, 1078 (9th Cir. 2012). “[T]he decision to marry is a fundamental right” and it survives despite a party to the marriage being incarcerated. *Turner v. Safley*, 482 U.S. 78, 95 (1987).

A prison’s restriction of a constitutional right may be sustained only where there is a valid, rational connection between the restriction and the legitimate government interest put forward to justify it; there are alternative means of exercising the right that remain open; the accommodation of the right will have a negative effect on institutional order; and there is an absence of ready alternatives to the restriction. *Id.* at 89-91. No factor justifies preventing the completion of the marriage licenses that Plaintiffs need in order to be lawfully married.

There is no valid, rational connection between any legitimate government interest and the refusal to facilitate Plaintiffs’ respective fiancés signing a marriage license application in the presence of the Recorder of Deeds or his deputy. MODOC officials

have approved the marriages. The procedure of the previous seventeen years satisfied any legitimate government interest. The procedure of the previous seventeen years is still utilized at the MODOC facility across the street from JCCC. The demand that Rademan disclose his social security number likely violates the federal Privacy Act.<sup>1</sup> Prison officials could transport Plaintiffs' fiancés the eight miles to the Recorder of Deeds' office, just as they transport inmates for other reasons. *See Roe v. Crawford*, 439 F. Supp. 2d 942, 950 (W.D. Mo. 2006) *aff'd*, 514 F.3d 789 (8th Cir. 2008) ("Seven days a week, [MODOC officials] transport many different prisoners off-site for medical and non-medical reasons, averaging nearly 200 transports each month at [another MODOC facility] alone"). In the end, Rademan also could accommodate Plaintiffs' constitutional rights by providing MODOC officials with his social security number. Or Defendants could act together to allow Rademan to deputize a MODOC employee to witness the signing of marriage license applications at JCCC.

There are no alternative means for Plaintiffs to exercise their constitutional right to marry an inmate at JCCC. Plaintiffs' fiancés are not voluntarily in the custody of

---

<sup>1</sup> Morris's demand for Rademan's social security number violates the federal Privacy Act in two ways. Section 7(a) of the Privacy Act provides, *inter alia*., "[i]t shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number." Section 7(b) mandates that "[a]ny Federal, State, or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it." *Accord Schwier v. Cox*, 340 F.3d 1284, 1290 (11th Cir. 2003). The MODOC defendants have not explained by what authority they demand the Rademan's social security number, what use will be made of it, or what necessary information they can access with his social security number that they do not already possess or could not obtain with Rademan's driver's license.

MODOC. Because the fiancés are in Defendant Norman's custody, the only way for Plaintiffs to exercise their constitutional right to marry is for Defendants to accommodate the right by accommodating issuance of a license.

Allowing Plaintiffs to marry their fiancés will have no adverse impact on the guards and other inmates. Using the procedure that continues to be used at Algoa and had been used without incident at JCCC for seventeen years will not have an adverse impact. Transporting engaged inmates to Rademan's office would have minimal impact. *See Roe v. Crawford*, 514 F.3d 789, 798 (8th Cir. 2008)(acknowledging MODOC admission that cost of additional transports for inmates who wish to exercise their constitutional right to terminate pregnancies is minimal compared to MODOC's general budget). The effective prohibition of Plaintiffs' marriages to their respective fiancés is "an exaggerated response" to any legitimate penological concerns. *Turner*, 482 U.S. at 97-98.

There are ready alternatives available to Defendants. Rademan could provide his social security number to MODOC. Reverting to the previous practice is an option available to Defendants Morris and Norman. *See Roe v. Crawford*, 514 F.3d at 798 (reverting to earlier policy is a ready alternative). MODOC could transport the inmate fiancés to Rademan's office. Rademan could deputize an individual within MODOC to witness the signatures of inmates on the marriage-license applications. No legitimate penological interest bars any of these options.

#### **B. The Irreparable Harm to Plaintiffs**

The second factor to consider in determining whether to issue an injunction is the threat of irreparable harm to the movant. *Dataphase*, 640 F.2d at 114.

Plaintiffs would now be married if not for Defendants' practices and customs preventing their union. The continued deprivation of the marriage constitutes irreparable harm to Plaintiff.

"[I]nmate marriages, like others, are expressions of emotional support and public commitment." *Turner*, 482 U.S. at 95. "[F]or some inmates and their spouses...the commitment of marriage may be an exercise of religious faith as well as an expression of personal dedication." *Id.* at 96.

"It has been recognized by federal courts at all levels that a violation of constitutional rights constitutes irreparable harm as a matter of law." *Cohen v. Cohama County, Miss.*, 805 F.Supp. 398, 406 (N.D. Miss. 1992). *See also Planned Parenthood of Minnesota, Inc. v. Citizens for Community Action*, 558 F.2d 861, 867 (8th Cir. 1977) (a showing that a law interferes with the exercise of constitutional rights supports a finding of irreparable harm). "[T]he violation of a fundamental constitutional right constitutes irreparable harm, even if temporary." *Jones 'El v. Berge*, 164 F.Supp.2d 1096, 1123 (W.D. Wis. 2001).

### **C. Balance of Harms**

The third factor to consider in determining whether to issue an injunction is the balance of the threat of irreparable harm to the plaintiffs and the injury that granting the injunction will inflict on other interested parties. *Dataphase*, 640 F.2d at 114.

There will be no harm to Defendants that outweighs the irreparable harm to Plaintiffs of continuing to deny their constitutional right to marry their fiancés. This factor weighs in favor of entry of a preliminary injunction unless Defendants can demonstrate some harm from entry of an injunction. *See Sambo v. City of Troy*, No.



4:08-CV-01012(ERW), 2008 WL 4368155 (E.D. Mo. Sept. 18, 2008). Defendants cannot demonstrate any harm that will occur to them.

**D. Public Interest**

It is in the public interest to grant a preliminary injunction. “[I]t is always in the public interest to protect constitutional rights.” *Parents, Families, & Friends of Lesbians & Gays, Inc. v. Camdenton R-III Sch. Dist.*, 853 F. Supp. 2d 888, 902 (W.D. Mo. 2012) (quoting *Phelps-Roper v. Nixon*, 545 F.3d 685, 690 (8th Cir. 2008) *overruled on other grounds by Phelps-Roper v. City of Manchester, Mo.*, 697 F.3d 678 (8th Cir. 2012)). It is in the public interest that the government not be permitted to prevent any adult from marrying the person of her choice. “[F]ederal courts must take cognizance of the valid constitutional claims of prison inmates. ... Prison walls do not form a barrier separating prison inmates from the protections of the Constitution.” *Turner*, 482 U.S. at 84.

**III. Conclusion**

For the foregoing reasons, Plaintiffs request this Court grant their motion for preliminary injunction and grant them such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

AMERICAN CIVIL LIBERTIES UNION  
OF EASTERN MISSOURI

/s/ Anthony E. Rothert  
ANTHONY E. ROTHERT, #44827  
GRANT R. DOTY, #60788  
454 Whittier Street  
St. Louis, Missouri 63108  
PHONE: (314) 652-3114  
FAX: (314) 652-3112

ATTORNEYS FOR PLAINTIFF

Certificate of Service

I certify that a copy of the foregoing was served upon defendants by placing the same in the First Class mail addressed as set forth below on November 27, 2012:

Jeff Norman  
Jefferson City Correctional Center  
8200 No More Victims Road  
Jefferson City, Missouri 65101

Kelly Morris  
Jefferson City Correctional Center  
8200 No More Victims Road  
Jefferson City, Missouri 65101

Larry Rademan  
Cole County Recorder's Office  
311 East High Street - Room 101 Courthouse Annex  
Jefferson City, Missouri 65101

/s/ Anthony E. Rothert

### Affidavit of Gena Gail Fuller

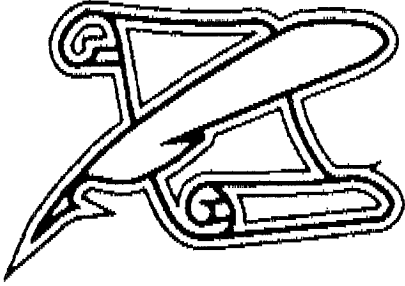
I, Gena Gail Fuller, declare as follows:

1. I am over the age of 18 and legally competent to make a declaration and do so on the basis of personal knowledge.
  2. I am a resident of Missouri.
  3. I am an unmarried woman.
  4. I am not incarcerated.
  5. I am engaged to marry to an inmate currently serving a prison sentence at Jefferson City Correctional Center ("JCCC") named Donnie Fuller, Inmate # 514253 ("my fiancé").
  6. My fiancé, who is an unmarried man over the age of eighteen, and I are not related.
  7. My fiancé and I obtained approval from JCCC to be wed at JCCC on September 24, 2012.
  8. After receiving approval from JCCC to marry my fiancé (at a September 2012 ceremony), I traveled from Moberly, Missouri, to the Cole County Recorder of Deeds' office, signed a marriage license application, and paid the \$51.00 fee.
  9. I was informed that the Record of Deeds would complete the marriage application license by visiting my fiancé at JCCC and having him sign it.
  10. I later received a letter from the Recorder of Deeds, Larry Rademan, dated August 28, 2012, informing me that he was unable to complete their marriage licenses because of the new JCCC policy, and returning the \$51.00 I paid for the license.
  11. Because I have been unable marry my fiancé, I continue to suffered significant emotional distress, the loss of the benefits of marriage, and other damages.
- Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 19, 2012

/s/ Gena Fuller





**COLE COUNTY  
RECORDER OF DEEDS**

LARRY D. RADEMAN  
(573) 634-9115  
311 EAST HIGH STREET  
P.O. Box 353  
JEFFERSON CITY, MO 65102

August 28, 2012

Gena Gail Fuller  
1108 E Logan  
Moberly MO 65270

To Whom It May Concern:

Be advised that Deputy Warden Kelly Morris has made obtaining entrance into the Jefferson City Correctional Center a major issue of private information. Therefore the Cole County Recorder of Deeds cannot enter said prison to take inmate applications.

Enclosed you will find a refund of your marriage application fee (\$51.00).

Please direct all questions about said marriage to:

Kelly Morris  
Deputy Warden  
573-751-3224 ext. 2003

Chaplain David Tolliver  
573-751-3224 ext. 1158

or your Attorney or Legal Counsel.

Sincerely,

Larry D. Rademan,  
Cole County Recorder of Deeds

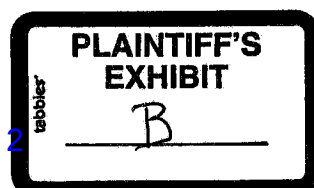


### Affidavit of Jymie Jo Essick

I, Jymie Jo Essick, declare as follows:

1. I am over the age of 18 and legally competent to make a declaration and do so on the basis of personal knowledge.
  2. I am a resident of Missouri.
  3. I am an unmarried woman.
  4. I am not incarcerated.
  5. I am engaged to marry to an inmate currently serving a prison sentence at Jefferson City Correctional Center ("JCCC") named Stevie G. Jimerson, Inmate # 522015 ("my fiancé").
  6. My fiancé, who is an unmarried man over the age of eighteen, and I are not related.
  7. My fiancé and I obtained approval from JCCC to be wed at JCCC on September 24, 2012.
  8. After receiving approval from JCCC to marry my fiancé (at a September 2012 ceremony), I traveled from Christian County, Missouri, to the Cole County Recorder of Deeds' office, signed a marriage license application, and paid the \$51.00 fee.
  9. I was informed that the Record of Deeds would complete the marriage application license by visiting my fiancé at JCCC and having him sign it.
  10. I later received a letter from the Recorder of Deeds, Larry Rademan, dated August 28, 2012, informing me that he was unable to complete their marriage licenses because of the new JCCC policy, and returning the \$51.00 I paid for the license.
  11. Because I have been unable marry my fiancé, I continue to suffered significant emotional distress, the loss of the benefits of marriage, and other damages.
- Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 15, 2012     /s/ Jymie Jo Essick





**COLE COUNTY  
RECORDER OF DEEDS**

LARRY D. RADEMAN  
(573) 634-9115  
311 EAST HIGH STREET  
P.O. BOX 353  
JEFFERSON CITY, MO 65102

August 28, 2012

Jymie Jo Essick  
391 Pine St  
Sparta MO 65753

To Whom It May Concern:

Be advised that Deputy Warden Kelly Morris has made obtaining entrance into the Jefferson City Correctional Center a major issue of private information. Therefore the Cole County Recorder of Deeds cannot enter said prison to take inmate applications.

Enclosed you will find a refund of your marriage application fee (\$51.00).

Please direct all questions about said marriage to:

Kelly Morris  
Deputy Warden  
573-751-3224 ext. 2003

Chaplain David Tolliver  
573-751-3224 ext. 1158

or your Attorney or Legal Counsel.

Sincerely,

Larry D. Rademan,  
Cole County Recorder of Deeds

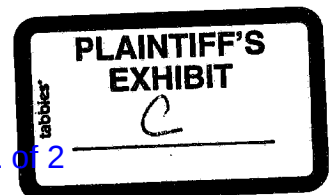
### Affidavit of Mary Courtney Pierce

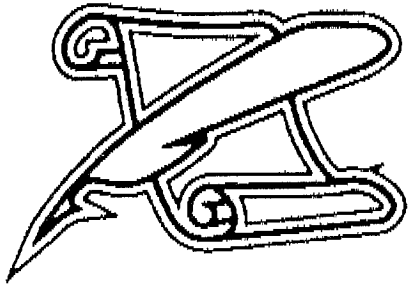
I, Mary Courtney Pierce, declare as follows:

1. I am over the age of 18 and legally competent to make a declaration and do so on the basis of personal knowledge.
  2. I am a resident of Missouri.
  3. I am an unmarried woman.
  4. I am not incarcerated.
  5. I am engaged to marry to an inmate currently serving a prison sentence at Jefferson City Correctional Center ("JCCC") named Reginald Groves, Inmate # 104855 ("my fiancé").
  6. My fiancé, who is an unmarried man over the age of eighteen, and I are not related.
  7. My fiancé and I obtained approval from JCCC to be wed at JCCC on September 24, 2012.
  8. After receiving approval from JCCC to marry my fiancé (at a September 2012 ceremony), I traveled from Kansas City, Missouri, to the Cole County Recorder of Deeds' office, signed a marriage license application, and paid the \$51.00 fee.
  9. I was informed that the Record of Deeds would complete the marriage application license by visiting my fiancé at JCCC and having him sign it.
  10. I later received a letter from the Recorder of Deeds, Larry Rademan, dated August 28, 2012, informing me that he was unable to complete their marriage licenses because of the new JCCC policy, and returning the \$51.00 I paid for the license.
  11. Because I have been unable marry my fiancé, I continue to suffered significant emotional distress, the loss of the benefits of marriage, and other damages.
- Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 19, 2012

/s/ Mary C. Pierce





**COLE COUNTY  
RECORDER OF DEEDS**

LARRY D. RADEMAN  
(573) 634-9115  
311 EAST HIGH STREET  
P.O. BOX 353  
JEFFERSON CITY, MO 65102

August 28, 2012

Mary Courtney Pierce  
3343 Wayne Ave  
Kansas City MO 64109

To Whom It May Concern;

Be advised that Deputy Warden Kelly Morris has made obtaining entrance into the Jefferson City Correctional Center a major issue of private information. Therefore the Cole County Recorder of Deeds cannot enter said prison to take inmate applications.

Enclosed you will find a refund of your marriage application fee (\$51.00).

Please direct all questions about said marriage to:

Kelly Morris  
Deputy Warden  
573-751-3224 ext. 2003

Chaplain David Tolliver  
573-751-3224 ext. 1158

or your Attorney or Legal Counsel.

Sincerely,

Larry D. Rademan,  
Cole County Recorder of Deeds

PLAINTIFF'S  
EXHIBIT

C-1



### Affidavit of Doloris Ann LaRose

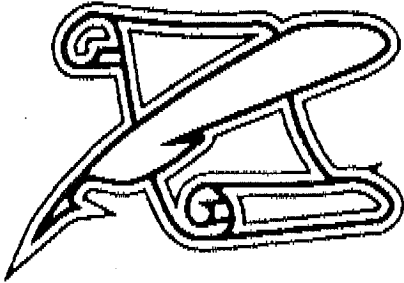
I, Doloris Ann LaRose, declare as follows:

1. I am over the age of 18 and legally competent to make a declaration and do so on the basis of personal knowledge.
  2. I am a resident of Missouri.
  3. I am an unmarried woman.
  4. I am not incarcerated.
  5. I am engaged to marry to an inmate currently serving a prison sentence at Jefferson City Correctional Center ("JCCC") named Jason Parsons, Inmate # 1003651 ("my fiancé").
  6. My fiancé, who is an unmarried man over the age of eighteen, and I are not related.
  7. My fiancé and I obtained approval from JCCC to be wed at JCCC on September 24, 2012.
  8. After receiving approval from JCCC to marry my fiancé (at a September 2012 ceremony), I traveled from Warrensburg, Missouri, to the Cole County Recorder of Deeds' office, signed a marriage license application, and paid the \$51.00 fee.
  9. I was informed that the Record of Deeds would complete the marriage application license by visiting my fiancé at JCCC and having him sign it.
  10. I later received a letter from the Recorder of Deeds, Larry Rademan, dated August 28, 2012, informing me that he was unable to complete their marriage licenses because of the new JCCC policy, and returning the \$51.00 I paid for the license.
  11. Because I have been unable marry my fiancé, I continue to suffered significant emotional distress, the loss of the benefits of marriage, and other damages.
- Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 16, 2012

/s/ Doloris LaRose





**COLE COUNTY  
RECORDER OF DEEDS**

LARRY D. RADEMAN  
(573) 634-9115  
311 EAST HIGH STREET  
P.O. Box 353  
JEFFERSON CITY, MO 65102

August 28, 2012

Doloris Ann LaRose  
411 Steck Dr #58  
Warrensburg MO 64093

To Whom It May Concern:

Be advised that Deputy Warden Kelly Morris has made obtaining entrance into the Jefferson City Correctional Center a major issue of private information. Therefore the Cole County Recorder of Deeds cannot enter said prison to take inmate applications.

Enclosed you will find a refund of your marriage application fee (\$51.00).

Please direct all questions about said marriage to:

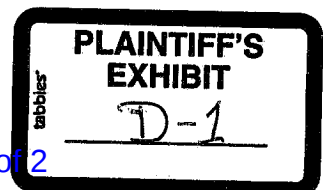
Kelly Morris  
Deputy Warden  
573-751-3224 ext. 2003

Chaplain David Tolliver  
573-751-3224 ext. 1158

or your Attorney or Legal Counsel.

Sincerely,

Larry D. Rademan,  
Cole County Recorder of Deeds



### Affidavit of Roena Michelle Redmond

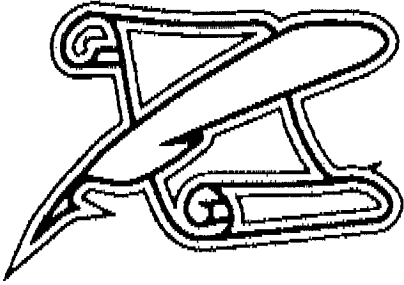
I, Roena Michelle Redmond, declare as follows:

1. I am over the age of 18 and legally competent to make a declaration and do so on the basis of personal knowledge.
  2. I am a resident of Missouri.
  3. I am an unmarried woman.
  4. I am not incarcerated.
  5. I am engaged to marry to an inmate currently serving a prison sentence at Jefferson City Correctional Center ("JCCC") named Billy Ray, Inmate # 533316 ("my fiancé").
  6. My fiancé, who is an unmarried man over the age of eighteen, and I are not related.
  7. My fiancé and I obtained approval from JCCC to be wed at JCCC on September 24, 2012.
  8. After receiving approval from JCCC to marry my fiancé (at a September 2012 ceremony), I traveled from Kansas City, Missouri, to the County Recorder of Deeds' office, signed a marriage license application, and paid the \$51.00 fee.
  9. I was informed that the Record of Deeds would complete the marriage application license by visiting my fiancé at JCCC and having him sign it.
  10. I later received a letter from the Recorder of Deeds, Larry Rademan, dated August 28, 2012, informing me that he was unable to complete their marriage licenses because of the new JCCC policy, and returning the \$51.00 I paid for the license.
  11. Because I have been unable marry my fiancé, I continue to suffered significant emotional distress, the loss of the benefits of marriage, and other damages.
- Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 17, 2012

/s/ Roena Redmond





**COLE COUNTY  
RECORDER OF DEEDS**

**LARRY D. RADEMAN  
(573) 634-9115  
311 EAST HIGH STREET  
P.O. BOX 353  
JEFFERSON CITY, MO 65102**

August 28, 2012

Roena Michelle Redmond  
10510 E 46<sup>th</sup> Terrace  
Kansas City MO 64133

To Whom It May Concern:

Be advised that Deputy Warden Kelly Morris has made obtaining entrance into the Jefferson City Correctional Center a major issue of private information. Therefore the Cole County Recorder of Deeds cannot enter said prison to take inmate applications.

Enclosed you will find a refund of your marriage application fee (\$51.00).

Please direct all questions about said marriage to:

Kelly Morris  
Deputy Warden  
573-751-3224 ext. 2003

Chaplain David Tolliver  
573-751-3224 ext. 1158

or your Attorney or Legal Counsel.

Sincerely,

Larry D. Rademan,  
Cole County Recorder of Deeds