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CITY PROSECUTOR

## **DIRECTIONS FOR PRO-SE LITIGANTS** **requesting a Prosecutor's Review**

*Do NOT use these directions if you are represented by an attorney. Contact your attorney for guidance.*

If you have chosen to represent yourself through the court process, you are expected to follow many of the same rules as if you were an attorney representing a client. We have compiled this guide to provide step-by-step directions on receiving a prosecutor's review.

If you are unable to complete these steps by yourself, decide not to, or need legal advice, DO NOT contact the prosecutor. He cannot offer you legal advice. Your best option would be consult legal aid or a Missouri attorney of your choosing.

DO NOT skip steps. Some people are not eligible to obtain a prosecutor's review. If you prematurely contact the prosecutor, your submission will be deleted.

### **To obtain a prosecutor's review:**

1. Does your ticket state your case is in Kimberling City Municipal Court?
  - YES: Continue to Step 2.
  - NO: Stop. These directions do not apply to you.
2. Is your ticket for a traffic violation?
  - YES: Continue to Step 3.
  - NO: Skip to Step 4.
3. Traffic Violators: For certain situations, the prosecutor requires a Driver Improvement Program (DIP) to be completed, prior to contacting him for a case review.

(The full policy is available here: <https://www.ozarkslg.com/downloads/DIP.pdf>)

Screen yourself against the DIP Policy:

- Have you had a traffic conviction\* in the last year?
  - This is the 12 calendar months before the current ticket date.
  - \* For this purpose of this policy, this DOES include SIS dispositions, and tickets which were amended to a no-points violation, such as no-point speeding or defective equipment.
  - Not included are citations which were received for non-moving reasons, such as license plate violations and burnt-out vehicle lighting.
- Are you currently charged with exceeding the speed limit by 26 mph or more?
- Are you currently charged with a significant moving violation, such as Careless & Imprudent (C&I), DWI, or Excessive BAC?
- Does this current violation involve a work zone, emergency zone, school bus, or an accident?

- If you answered YES to one or more of the above screening questions, STOP. You must complete a DIP Program before continuing to Step 4. See the DIP Policy for Directions, <https://www.ozarkslg.com/downloads/DIP.pdf> (Do NOT contact the prosecutor before completing the program.)
- If you answered NO to each question, continue to Step 4.

4. Complete the attached form requesting a prosecutor's review.

- Things to know:
  - The prosecutor is under no obligation to extend a plea offer. If you do not hear back, you do not accept and process the offer, or do not obtain a court date extension from the court clerk, you must appear on your assigned court date and time.
  - Any offer may be withdrawn by the prosecutor at any time. In fact, this is very likely to occur if you receive additional tickets prior to the disposition of this case.
  - This is a request form. The prosecutor is under no obligation to respond and may, in-fact, decide to not review your submission.
  - This is a submission to the city's prosecutor. The best rule of thumb is to not provide details which could be used to incriminate you. (While there is legal argument that this information is for plea negotiations, that is beyond the scope of this reminder.) Stick to the best rule of thumb. However, do not lie on the form. Most, if not all, of the information it requests can be obtained and verified through court and police databases.
  - If you receive information from the Prosecutor, please pay close attention to the details. If all of your charges are not disposed of prior to your court date, you must still attend court.

It is important to submit the review form as early as possible. Please email the following items at least three weeks before your court date:

- A complete and signed "Request for Review" Form
- Your DIP Certificate (if required by Step 3)
- A copy of your ticket(s)

**IMPORTANT:** You must meet the 3-week deadline above. FURTHER, you MUST ensure the court clerks receive your plea and payment AT LEAST 10 DAYS before your court date. (Same-day delivery can be made to the court clerks during business hours, but if you mail it, you should anticipate the mail will take at least a full week.)

All Submissions must be in .PDF FORMAT. This type of file can be made using a computer scanner, a phone app such as "Adobe Scan," or visiting an office supply store. Submit your form to:

[CityPA@OzarksLG.com](mailto:CityPA@OzarksLG.com)

<<Request for Review Form appears below>>

# Request for Prosecutor's Review

- *DO NOT submit this form if you are represented by an attorney. Contact your attorney to assist you.*
- *This submission is to the prosecutor, who represents the City. DO NOT state facts which could be used against you in court.*
- **FULLY complete this form. PROVIDING FALSE INFORMATION IS ILLEGAL & CAN RESULT IN CHARGES.**

## Your Information

Your NAME (as it appears on your ticket/charge): \_\_\_\_\_

ADDRESS\*: \_\_\_\_\_ \*This does NOT update the court's file; please contact the court directly to do so.

PHONE # (Cell number preferred): (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

## Charge Information

CITY of charges: \_\_\_\_\_ Your CASE (or ticket) NUMBER(S): \_\_\_\_\_

CHARGE(S): \_\_\_\_\_

REASON for requesting a review & your REQUEST: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Traffic-Related History

(Skip this section if you are not charged with a traffic offense.)

**Check one box:** I certify that I have NOT been stopped for a traffic violation in the last 3 years. (Exclude this one)  
OR I certify that I am listing ALL the traffic violation contacts I have had in the last 3 years.

Date of Stop: \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_ Reason I was stopped: \_\_\_\_\_

Warning(s) for: \_\_\_\_\_ Ticket(s) for: \_\_\_\_\_

Disposition (final charges and outcome): \_\_\_\_\_ Court location: \_\_\_\_\_

Date of Stop: \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_ Reason I was stopped: \_\_\_\_\_

Warning(s) for: \_\_\_\_\_ Ticket(s) for: \_\_\_\_\_

Disposition (final charges and outcome): \_\_\_\_\_ Court location: \_\_\_\_\_

Date of Stop: \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_ Reason I was stopped: \_\_\_\_\_

Warning(s) for: \_\_\_\_\_ Ticket(s) for: \_\_\_\_\_

Disposition (final charges and outcome): \_\_\_\_\_ Court location: \_\_\_\_\_

*If needed, attach another form (or a blank piece of paper) to continue this list, ensuring it is complete for the past 3 years. Number of pages attached: \_\_\_\_\_*

## Certification – Signature Required

**Certification:** I affirm that the information on this form is accurate and that it gives full answers to all questions asked. I understand that if my charges are not fully disposed of prior to my court date, my attendance in court is required.

Signed by: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_

**Submission:** Send this form in .PDF format (in that format ONLY) to: [CityPA@OzarksLG.com](mailto:CityPA@OzarksLG.com) You MUST also attach a copy of each ticket you are asking to be reviewed; persons required to perform a DIP must attach their certificate. **YOU MUST SUBMIT THIS TO US AT LEAST 3 WEEKS PRIOR TO YOUR COURT DATE.**