



Supreme Court of Missouri
en banc

September 30, 2021

State ex rel. Eric Schmitt,)
)
) Relator,)
)
vs.) No. SC99312
)
The Honorable Kevin Harrell,)
)
) Respondent.)

PEREMPTORY WRIT OF PROHIBITION

Having reviewed the writ petition and the suggestions in support and opposition thereto and finding it is necessary, in the interest of justice, to dispense with further briefing and argument, *see* Rule 84.24(i), the Court issues this peremptory writ of prohibition.

This Court’s Code of Judicial Conduct requires judges to “act at all times in a manner that promotes public confidence in the . . . impartiality of the judiciary” and to “avoid impropriety and the appearance of impropriety.” Rule 2-1.2. A judge is required to “recuse himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned.” Rule 2-2.11.

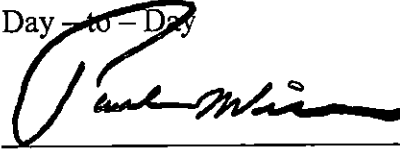
This Court finds that the actions of Respondent, the Honorable Kevin Harrell, in Case No. 16CR79000361, titled *State of Missouri v. Kevin B. Strickland*, do not establish he displayed any disqualifying bias, impropriety, or partiality in conducting said proceedings. Nevertheless, to avoid even the appearance of partiality or impropriety, this Court finds it necessary to prohibit Respondent and all other judges of the 16th Judicial Circuit from presiding over Case No.

SCANNED

16CR79000361. This Court further orders and appoints the Honorable James E. Welsh, senior judge, to preside over Case No. 16CR79000361.

No motions pursuant to Rule 84.17 shall be filed. Relator's motion to dispense with time limitations under Rule 84.24 is overruled as moot.

Day - to - Day

A handwritten signature in black ink, appearing to read "Paul Wilson", written over a horizontal line.

Paul C. Wilson
Chief Justice

STATE OF MISSOURI – SCT.:

I, Betsy AuBuchon, Clerk of the Supreme Court of Missouri, do hereby certify that the foregoing is a true copy of the order of said court, entered on the 30th day of September, 2021, as fully as the same appears of record in my office.

IN TESTIMONY WHEREOF, *I have hereunto set my hand and affixed the seal of said Supreme Court. Done at office in the City of Jefferson, State aforesaid, this 30th day of September, 2021.*



Betsy AuBuchon
_____, Clerk

Alma Buckner
_____, Deputy Clerk