

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

In re the Marriage of:	)	
ANGELA L. PORTER,	)	
	)	
Petitioner,	)	Cause No. 18SL-DR03675
	)	
and	)	Division 31
	)	
DAVID R. PORTER,	)	
	)	
Respondent.	)	

RESPONDENT’S MOTION AND AFFIDAVIT FOR EXCLUSIVE USE OF RESIDENCE

COMES NOW, Respondent, DAVID R. PORTER, and for his Motion and Affidavit for Exclusive Use of Residence pursuant to Section 452.315 RSMo., states as follows:

1. Petitioner’s Petition for Dissolution of Marriage and Respondent’s Counter-Petition for Dissolution of Marriage are pending in this Division.
2. The parties jointly own several residential properties locally. One of the properties where Respondent could reside, 1751 N. Woodlawn, St. Louis, MO 63124, is under contract for sale to a third party and scheduled to close in a short period of time. Another local residence, 6 Denny Lane, St. Louis, MO 63131, along with the parties’ residence in Wellington, Florida (a property worth in excess of \$5,000,000.00) are being occupied by Petitioner. Respondent has been residing in the third property, 1705 N. Woodlawn, St. Louis, MO 63124. While there are two other areas to reside, the apartment in the basement of 5 Denny Lane and the apartment in the barn on the property that will be included in the 1751 N. Woodlawn sale, both are only reasonably available to Petitioner.
3. Although Petitioner has been primarily residing at the parties’ residence in Wellington, Florida, in her last few trips to St. Louis, Petitioner has insisted upon staying at 1705 N. Woodlawn, where Respondent had been residing. In these instances, Petitioner, without

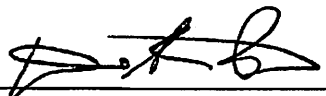
warning to Respondent, and accompanied by two gentlemen, who Respondent believes to have been armed guards, and her boyfriend, Trent Gamble, have entered into the premises at 1705 N. Woodlawn and constructively forced Respondent out of the residence. Said conduct along with other inappropriate behavior the Petitioner has engaged in upon her return to 1705 N. Woodlawn causes Respondent both emotional distress and to fear for his physical well-being.

4. Up until February 14, 2019, the 1705 N. Woodlawn had been under contract with a third-party buyer and scheduled to close in the first quarter of 2019. However, that deal fell through, and as such, the property no longer needs to be vacated. Respondent wishes to have exclusive possession of 1705 N. Woodlawn through and until entry of a Judgment herein.

5. If Petitioner is not excluded from 1705 N. Woodlawn, emotional harm will result to Respondent.

6. Petitioner will not be prejudiced if Respondent is granted exclusive possession of, and Petitioner is excluded from 1705 N. Woodlawn during the pendency of this cause.

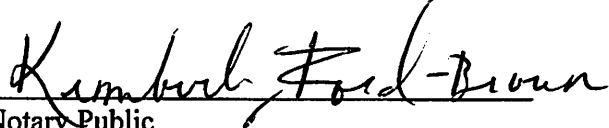
WHEREFORE, Respondent prays for this Court's order granting him exclusive possession of the 1705 N. Woodlawn residence, through and including entry of a Judgment herein, excluding Petitioner from the 1705 N. Woodlawn residence during this time period, and for such other and further orders as the Court deems just and proper herein.

  
\_\_\_\_\_  
DAVID R. PORTER

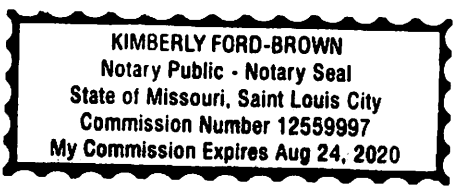
STATE OF MISSOURI            )  
  ) SS  
COUNTY OF ST. LOUIS        )

DAVID R. PORTER, of lawful age, being duly sworn on his oath, states that he is the Respondent herein; that the facts stated therein are true according to his best knowledge, information and belief.

Subscribed and sworn to before me this 15 day of February, 2019.

  
\_\_\_\_\_  
Notary Public


My commission expires:



My Commission Expires Aug 24, 2020  
Commission Number 1522927  
State of Missouri - Saint Louis City  
Notary Public - Notary Seal  
KATHERINE FORD BROWN


ZERMAN MOGERMAN, LLC

By:

  
\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was sent via the Missouri eFiling System, pursuant to Rule 103.08, this 15<sup>th</sup> day of February, 2019, to: Hardy C. Menees, Attorney for Petitioner, [menees@sbcglobal.net](mailto:menees@sbcglobal.net).

  
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