ALLWIN — On the day Jay Ashcroft ran to the CNN television cameras, Matt Conlon walked into the Ballwin Government Center. Both men had the same topic on their minds: access to the election ballot.

Ashcroft is Missouri’s secretary of state. He’s running for the Republican nomination for governor. To draw attention to his right-wing bona fides, he announced last week that he might consider an attempt to remove President Joe Biden from Missouri’s ballot if other states remove Donald Trump from their ballots.

Ashcroft can’t do that, of course. As the CNN reporter pointed out, Missouri’s constitution is different than Maine’s. Missouri’s secretary of state blocked Trump from the ballot, citing the U.S. Constitution’s 14th Amendment insurrection clause. The same issue is being debated in courts in multiple states and soon will be decided by the U.S. Supreme Court.
1  Mizzou defensive coordinator Blake Baker leaves for same role at LSU
2  Holleman: Wesley Bell’s top aide made more than $650,000 by moonlighting
3  Kevin Hayes denies involvement in Cutter Gauthier’s decision to not sign in Philadelphia: ‘It’s completely false’
4  Man charged in St. Louis with running massive Ponzi scheme, bilking clients out of millions

Court is where these things are generally decided. Ashcroft, a lawyer, knows this. In fact, when he recently tried to block an abortion-rights initiative from the ballot, the Missouri Court of Appeals chided him for his dishonesty.

That’s what Conlon, a Ballwin resident, wanted to talk to the Board of Aldermen about on Monday — honesty.

Two years ago, Robert E. Jones, the city attorney for Ballwin, went to court to knock a man named Brennan Redinger off the local ballot. Redinger, at the time a newcomer in Ballwin, wanted to run for an aldermanic seat. Mayor Tim Pogue paid Redinger an uninvited visit at his home, telling Redinger he hadn’t lived in town long enough to run for office. Redinger eventually filled out a form to withdraw from the race, but it was too late to change the ballot.
No problem, Jones decided. He filed a lawsuit on Redinger’s behalf to get him removed from the ballot. The attorney on the opposing side, representing the St. Louis County Board of Elections, was from the same law firm, Curtis, Heinz, Garrett & O’Keefe. But Jones had never spoken to Redinger. He misrepresented to the court that Redinger was his client.

At the time, Alderman Kevin Roach got wind of what was going on and investigated. He presented the results to Ashcroft, who, as secretary of state, has some authority to enforce violations of election law.

Ashcroft passed.

But Roach didn’t give up. After Conlon came to a Board of Aldermen meeting last year to explain his disgust at the situation — and was chided by the mayor and Jones — Roach filed a complaint with the Office of Chief Disciplinary Counsel. That’s the office in Missouri that disciplines attorneys for various levels of wrongdoing.

At some point last year, after Roach filed his complaint, Jones refunded his attorney’s fees in the Redinger case to the city. But that didn’t absolve him of wrongdoing.

So said the Office of Chief Disciplinary Counsel in a letter of admonition it issued in September. I obtained the letter in a Sunshine Law request. So did Conlon.

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Tony Messenger
St. Louis Post-Dispatch

Re: Inquiry regarding Attorney Robert E. Jones

Dear Mr. Messenger:

In further review of our records, a letter of Admonition was issued in September, 2023 to attorney Robert Edward Jones, Missouri Bar No. 35111. Attached is a copy of the Admonition letter.

Mr. Messenger, your voicemail message of October 2, 2023, states your request is pursuant to the provisions of the Missouri Sunshine Law, Section 610.010, et seq., RSMo. Please note, the Missouri Sunshine Law does not apply to the disclosure of attorney disciplinary records. Disclosure of such records is governed by Missouri Supreme Court Rule 5.31. See also Missouri Constitution, Article V, Section 5 and Section 610-021 (14), RSMo. Attorney disciplinary records are public only when ordered by the Missouri Supreme Court, or requested by the subject attorney, and when explicitly made public by Missouri Supreme Court Rule 5.31.

I hope this information is of assistance to you.

Sincerely,

OFFICE OF CHIEF DISCIPLINARY COUNSEL

Tony Messenger

Conlon read a portion of the letter to the aldermen on Monday night. He focused on a Missouri Supreme Court rule that the disciplinary counsel said Jones violated for misrepresenting that Redinger was his client: "A lawyer shall not knowingly make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made by the lawyer." A letter of admonition is the lowest level of discipline issued to lawyers, says Peter Joy, a law professor at Washington University. But it's still not something an...
attorney wants to have on their record.

“Lawyer discipline is imperative because lawyers have specific obligations to their clients and the courts,” Joy says. “The lawyer crossed ethical lines and there were consequences.”

Conlon wanted to make sure the letter got addressed in a public meeting in Ballwin.

“This issue has a terrible smell attached to it,” he told the aldermen, saying he was taking them all to task — with the exception of Roach — for not standing up for what was right.

“This is not an old boys’ club,” Conlon told the aldermen. “Please stop trying to make it one.”

It was a local admonition but with a message that shouldn’t escape Ashcroft: Messing with the ballot is no trivial matter.
A cyclist rides his bicycle past lights and greenery on Friday, Dec. 1, 2023. Photo by Laurie Skrivan.

View the Post-Dispatch photographers' photos from December 2023.

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