

1 **BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI**

2 **FILED**
3 **December 26, 2023**
4 **Data Center**
5 **Missouri Public**
6 **Service Commission**

3 Joshua Michael Kearney,
4 Complainant,

5 vs.

6 Spire, Inc.

7 Respondent,

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) File No. GC-2024-0172
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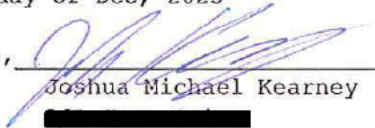
8 **Motion for Judgment for Failure to Present a Valid Defense**

9 Pursuant to Rule 12 (c) of the Federal Rules of Civil Procedure and in
10 accordance with MO Title XXXV Chapter 509.300, The Complainant respectfully moves this
11 court for Judgment on the Pleadings due to the Respondent's failure to present a valid
12 defense.

13 The Respondent's "answer to complaint" or docket item No.5 filed on 12/19/2023
14 fails to assert any valid legal or factual defenses to the complainant's claims. The
15 response lacks specific denials or affirmative defenses. The respondent's failure to
16 raise a legitimate defense violates the procedural and substantive requirements
17 outlined in Rule 8 (c) (1) of the Federal Rules of Civil Procedure as well as MO Title
18 XXXV Chapter 509.090, and as such, the complainant is entitled to judgment on the lack
19 of defense.

20 Therefore the Complainant respectfully moves this court to render Judgment on
21 the pleadings in favor of the complainant in accordance with the Rule and Chapter.

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23 Dated this 20th day of Dec, 2023

24 Signature, 

Joshua Michael Kearney
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