

**IN THE CIRCUIT COURT OF THE COUNTY OF BENTON
STATE OF MISSOURI**

STATE OF MISSOURI, EX INF.
ANDREW BAILEY,
ATTORNEY GENERAL,

Relator,

v.

Case No.

RICHARD LOUIS RENNO,

Respondent.

Petition in Quo Warranto

The State of Missouri, on the personal information of the Attorney General, brings this suit to remove Respondent Richard Louis Renno from the office of Treasurer of the County of Benton.

Introduction

1. A county treasurer is tasked with “multitudinous duties” to perform on behalf of the county the treasurer represents. *State ex inf. Taylor v. Cumpton*, 240 S.W.2d 877, 880 (Mo. banc 1951), *overruled in irrelevant part by State ex rel. Dalton v. Mosley*, 286 S.W.2d 721, 732 (Mo. banc 1956).

2. Respondent holds a position of trust and must strive to scrupulously abide by the law.

3. Respondent has failed to personally devote his time to the performance of the duties of the office of Treasurer for the County of Benton.

4. Therefore, Respondent has forfeited his office.

5. This Court should issue a writ of quo warranto.

Parties

6. Upon his personal information, Relator Andrew Bailey, Attorney General of Missouri, prosecutes this cause for and on behalf of the State of Missouri and its citizens.

7. Respondent Richard Louis Renno is the Treasurer of the County of Benton, Missouri, and has held that office continuously during his current term, which began January 1, 2023.

8. The position of Treasurer of the County of Benton, Missouri, is an elective office.

Jurisdiction and Authority

9. Circuit courts have plenary subject matter jurisdiction over all cases and matters, civil and criminal. Mo. Const. art. V, § 14.

10. Circuit courts “may issue and determine original remedial writs[.]” Mo. Const. art. V, § 14.

11. A writ of quo warranto is an original remedial writ. *See Gall v. Steele*, 547 S.W.3d 564, 571–72 (Mo. 2018) (Draper, J., concurring).

12. Quo warranto proceedings before a circuit court are governed by Rule 98, the rules of civil procedure, and Chapter 531 of the Missouri Revised Statutes.

13. Relator is authorized to bring this action under § 531.010, RSMo, which provides that “in case any person shall . . . unlawfully hold or execute any office . . . the attorney general of the state . . . shall exhibit to the circuit court, or other court having concurrent jurisdiction therewith in civil cases, an information in the nature of a *quo warranto*”

14. Relator is authorized to bring such action under Rule 98.02(b)(1), which provides, “The attorney general of this state, upon personal information” may proceed as Relator in *quo warranto*.

15. Because the Attorney General is the relator in this action, this Court must issue a preliminary writ and to order Respondent to answer the allegations contained in the petition. Rule 98.04 (“If the relator is the attorney general or the prosecuting attorney, filing upon personal information, the court shall issue a preliminary order in *quo warranto*.”); Rule 98.05 (“The preliminary order in *quo warranto* shall require the respondent to file an answer within the time fixed by the order.”).

16. Respondent is not subject to impeachment under Article VII, § 1 of the Missouri Constitution because he is not one of the “elective executive officials of the state” or a judge. Mo. Const. art. VII, § 1.

17. Respondent is subject to § 106.220, RSMo, which provides:

Any person elected or appointed to any county, city, town or township office in this state, except such officers as may be subject to removal by impeachment,

who shall fail personally to devote his time to the performance of the duties of such office, or who shall be guilty of any willful or fraudulent violation or neglect of any official duty, or who shall knowingly or willfully fail or refuse to do or perform any official act or duty which by law it is his duty to do or perform with respect to the execution or enforcement of the criminal laws of the state, shall thereby forfeit his office

18. This Court has personal jurisdiction over the parties.

19. This Court has subject matter jurisdiction over this quo warranto proceeding. Mo. Const. art. V, § 14

20. This Court has the authority to grant a permanent writ of quo warranto to remove Respondent from office. Mo. Const. art. V, § 14; § 531.010.

Venue

21. Respondent resides within the territorial limits of the County of Benton, and may be found within the territorial limits of the County of Benton.

22. Venue for this action is properly laid in the Circuit Court for the County of Benton. § 508.010.2(1).

Duties of the Treasurer

23. The office of treasurer for the County of Benton is a county office. § 54.010, RSMo.

24. The Treasurer of the County of Benton has legal duties and official acts that are required by law and custom.

25. For instance, the Treasurer of the County of Benton “shall keep his office at the county seat of the county for which he was elected, and shall attend the same during the usual business hours.” § 54.100, RSMo.

26. The Missouri Supreme Court has noted that it is the “policy of this state that officers generally may be removed from office for misconduct in the performance of the duties of the office.” *State on inf. McKittrick v. Williams*, 144 S.W.2d 98, 103 (Mo. banc 1940).

27. The Treasurer of the County of Benton is elected every four years. §§ 54.010.2–.3, RSMo.; § 54.030, RSMo.

28. The duties of Respondent’s public office include “those [duties] lying fairly within its scope, those essential to the accomplishment of the main purpose for which the office was created, and those which, although incidental and collateral, serve to promote the accomplishment of the principal purposes.” *State ex inf. Fuchs v. Foote*, 903 S.W.2d 535, 538 (Mo. banc 1995), *quoting State ex inf. McKittrick v. Wymore*, 132 S.W.2d 979, 987 (Mo. banc. 1939).

29. The acceptance of a public office implies the obligation to subordinate private interests to public duties. *Cumpton*, 240 S.W.2d at 885, *overruled in irrelevant part by Mosley*, 286 S.W.2d at 732.

30. “It is the duty of public officers to refrain from outside activities which interfere with the proper discharge of their duties.” *Cumpton*, 240 S.W.2d at 880, *overruled in irrelevant part by Mosley*, 286 S.W.2d at 732.

31. “A public officer owes an undivided loyalty to the public whom he serves and he should not place himself in a position which will subject him to conflicting duties or expose him to the temptation of acting other than in the best interests of the public.” *Cumpton*, 240 S.W.2d at 886, *overruled in irrelevant part by Mosley*, 286 S.W.2d at 732.

32. Any person elected to any county office in this state, “except such officers as may be subject to removal by impeachment, who shall fail personally to devote his time to the performance of the duties of such office . . . shall thereby forfeit his office, and may be removed therefrom in the manner provided in sections 106.230 to 106.290.” § 106.220, RSMo.

33. A county treasurer “shall keep his office at the county seat of the county for which he was elected, and shall attend the same during the usual business hours.” § 54.100, RSMo.

34. It is a dereliction of an elected official’s duties to remain absent, without establishing proper management of the office, from his statutory position. *See State v. Yager*, 157 S.W. 557, 561 (Mo. Div. 2 1913).

Reasons Why this Court Should Issue a Writ of Quo Warranto

Count I

- I. **This Court should issue a writ of quo warranto because Respondent has failed personally to devote his time to the performance of the duties of the office of Treasurer for the County of Benton.**

35. Relator re-alleges all previous allegations as if set forth herein.

36. Respondent began his current term of office on January 1, 2023.¹ § 54.030, RSMo (“The county treasurer so elected shall . . . enter upon the discharge of the duties of his office on the first day of January following his election . . .”).

37. Upon information and belief, upon taking office, Respondent swore to “support the Constitution of the United States and the Constitution of the State of Missouri, and faithfully demean [himself] in the office of county treasurer.”

¹ November 8, 2022 Benton County Election Results, available at: https://www.bentoncomo.com/documents/elections/2022_nov_8_official%20results.pdf

A. Respondent knowingly transmitted, via an online dating platform, a picture of his exposed, erect penis to a child less than fifteen years of age to entice or lure the child for the purpose of engaging in sexual conduct and arouse or gratify Respondent's sexual desire.²

38. On or about August 24, 2024, T.S., B.W., M.K., and R.M created an online profile on Grindr, which is an online dating service that focuses on gay, bisexual, and transgender adults.

39. T.S., B.W., M.K., and R.M created the Grindr profile to catch "predators."

40. Their Grindr profile used a picture of B.W.

41. At the time, B.W. was fourteen years old.

42. Upon information and belief, B.W. allowed the use of his photo on the Grindr account to catch "predators."

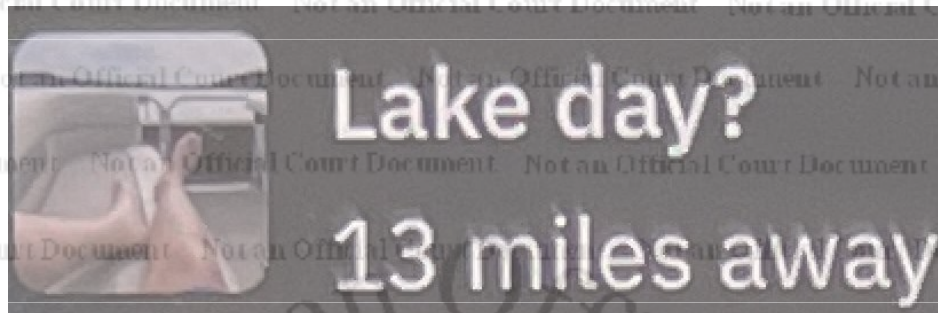
43. Upon information and belief, the name listed on that account was either "Konnor" or "Konner."

44. Eventually, a Grindr account identified as "Lake Day?" began messaging T.S., B.W., M.K., and R.M's profile.

45. "Lake Day?" was the first person to message T.S., B.W., M.K., and R.M's account.

² For the sake of clarity, Respondent is presumed innocent of any criminal offense until proven guilty.

46. M.K. recognized the following profile picture for “Lake Day?” as showing Respondent’s feet and boat.



47.

48. M.K. used to work for Respondent at Rick’s Oar House Inn & Marina.

49. Upon information and belief, Respondent owns Rick’s Oar House Inn & Marina.

50. Until November 13, 2024, Rick’s Oar House was listed as being owned by OzarkDreamin LLC and Respondent. *Registration of Fictitious Name*, Mo. Sec’y of St. (Nov. 13, 2019).³

51. OzarkDreamin LLC actively operates under Charter No. LC001676374.

³ Available at:

<https://bsd.sos.mo.gov/Common/CorrespondenceItemViewHandler.ashx?IsTIF=true&filedDocumentid=14975947&version=2>.

52. Respondent is OzarkDreamin LLC's registered agent and one of its organizers. *Limited Liability Company Details as of 7/3/2025*, Mo. Sec'y of St. (July 3, 2025)⁴; *Articles of Organization*, Mo. Sec'y of St. (Nov. 13, 2019).⁵

53. Upon information and belief, Respondent's nickname is "Rick."

54. Upon information and belief, the Grindr account associated with the "Lake Day?" profile is Respondent's account.

55. Upon information and belief, the person with whom T.S., B.W., M.K., and R.M. had conversations with on Grindr was Respondent.

56. During a conversation with Respondent, T.S., B.W., M.K., and R.M. told Respondent "I'm 14 years old."

57. In response, Respondent said, "Age doesn't matter. It's slim pickings around here. You want to come over for a full body massage?"

58. At that time, Respondent was 62 years old.

59. Eventually, Grindr blocked or shut down the profile created by T.S., B.W., M.K., and R.M.

⁴ Available at: <https://bsd.sos.mo.gov/BusinessEntity/BusinessEntityDetail.aspx?ID=4193644&page=beSearch>.

⁵ Available at: <https://bsd.sos.mo.gov/Common/CorrespondenceItemViewHandler.ashx?IsTIF=true&filedDocumentid=14975842&version=2>.

60. Upon information and belief, T.S., B.W., M.K., and R.M's account was blocked or shut down because the account owner was identified as being fourteen years old.

61. T.S., B.W., M.K., and R.M created another Grindr profile.

62. T.S., B.W., M.K., and R.M messaged Respondent again saying "Hey it[s] me again my account is be[i]n[g] funny."

63. Respondent asked, "Me who?"

64. T.S., B.W., M.K., and R.M said, "The guy you were ta[l]king to earlier."

65. Respondent said, "Oh ok."

66. T.S., B.W., M.K., and R.M said, "I wanna take you up on that massage 🙄."

67. Respondent said, "Ok."

68. T.S., B.W., M.K., and R.M asked, "Are you still horny?"

69. Respondent said, "I'm always horny lol."

70. T.S., B.W., M.K., and R.M asked, "Can we meet up some time soon I'm so horny I just love older guys lol 😊".

71. Respondent said, "We can work out something."

72. T.S., B.W., M.K., and R.M asked, "Do you like older or younger[?]"

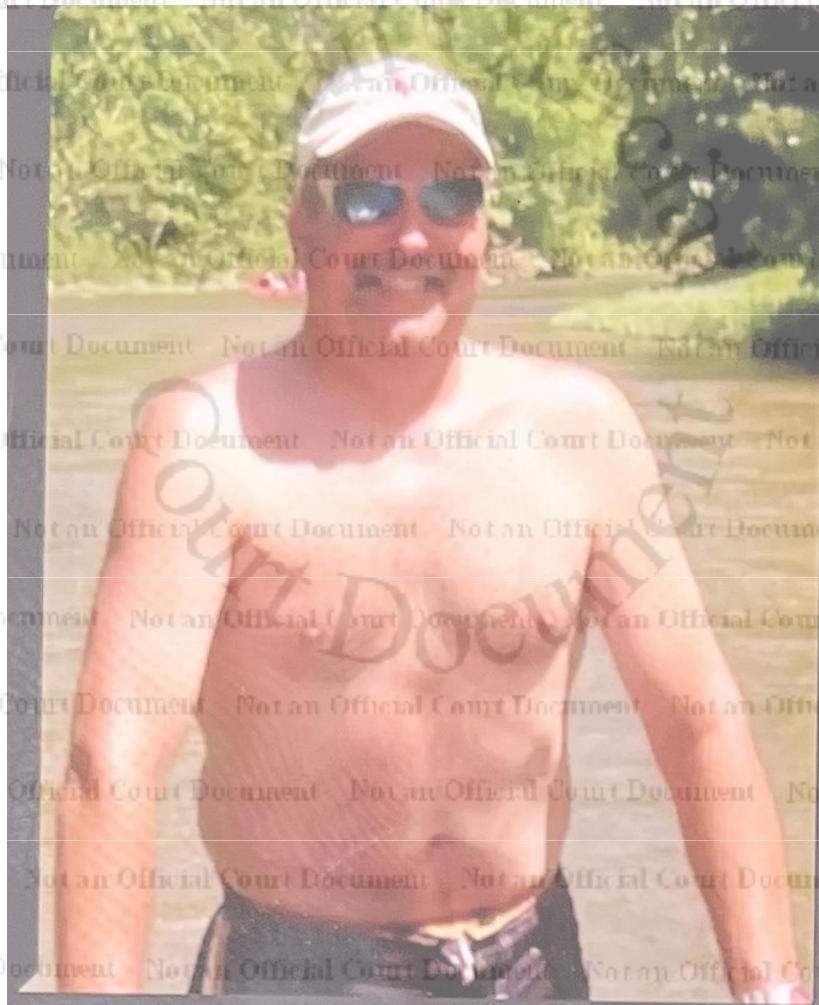
73. Respondent said, "Younger."

74. T.S., B.W., M.K., and R.M asked, "Can you send some pics[?]"

75. Respondent sent a picture exposing his nude, erect penis at his residence.

76. T.S., B.W., M.K., and R.M asked, "Can I see your face[?] I can also send to[o] if you wanna see."

77. Respondent then sent a picture showing his face and upper body.



78.

79. Respondent asked, "Met anyone else before[?]"

80. T.S., B.W., M.K., and R.M said, "Not yet you'd be the first I'm new to this I'm a virgin looking for some fun I'm 15 ready to lose it now."

81. Respondent said, "Well don't rush. Lol."
82. T.S., B.W., M.K., and R.M asked, "Why not I'm ready."
83. Respondent said, "Find the right person."
84. Respondent then asked, "You a sophomore[?]"
85. T.S., B.W., M.K., and R.M said, "Yes I'm a sophomore and nobody around here is gay."
86. Respondent said, "Tell me about it."
87. Respondent asked, "How did you do wrestling last year[?]"
88. T.S., B.W., M.K., and R.M said, "I did pretty good I lost a few matches."
89. Respondent said "Cool[.] Be better this year."
90. T.S., B.W., M.K., and R.M asked, "Would you be down to do some oral stuff[?] I want to start small."
91. Respondent replied, "Like to just meet first. And then we can go for a massage."
92. T.S., B.W., M.K., and R.M asked, "When do you want to meet[?]"
93. Respondent said, "Going to be at the lake all day tomorrow. Back home on Monday."
94. Earlier that day, T.S. called the Oar House and asked to speak with Respondent.

95. The person that answered the phone was not Respondent, and informed T.S. that Respondent would not be back until Monday.

96. In response to Respondent saying, "Going to be at the lake all day tomorrow. Back home on Monday," T.S., B.W., M.K., and R.M said, "Okay well we can plan something then ☺."

97. Respondent said, "Ok."

98. Then, Respondent said, "Stroke that load out tonight!!! lol."

99. T.S., B.W., M.K., and R.M said, "I need some videos lol."

100. Respondent said, "You'll need to stroke out two loads tonight at your age!"

101. Respondent then asked, "Start school this week?"

102. Respondent said, "[I] used to jack off every morning when I was your age."

B. Respondent willfully neglected and failed to perform his official duties as Treasurer for the County of Benton when Respondent was absent from his elected position for the unauthorized reason of being arrested after being charged with two felonies.

103. Relator re-alleges all previous allegations as if set forth herein.

104. This Court should take judicial notice of the docket, and individual filings, in *State v. Renno*, 25BE-CR00205 (Benton Cnty. Cir. Ct. 2025).

105. On June 9, 2025, at approximately 6:35 A.M., an investigator with the Missouri State Highway Patrol's Division of Drug and Crime Control interviewed Respondent.

106. Upon information and belief, Respondent admitted that he had had a Grindr account for approximately ten years.

107. Upon information and belief, Respondent admitted he had had conversations online or on Grindr with minors under the age of eighteen two or three times.

108. Upon information and belief, Respondent admitted that he recognized his profile picture that was sent to the Grindr account created by T.S., B.W., M.K., and R.M.

109. Upon information and belief, Respondent admitted that he had sent to other people the nude photo that was sent to the Grindr account created by T.S., B.W., M.K., and R.M.

110. At approximately 7:55 A.M., Respondent was arrested for two criminal offenses.

111. The first offense for which Respondent was arrested was the unclassified felony of enticement or attempted enticement of a child. See § 566.151, RSMo.

112. The second offense for which Respondent was arrested was the class E felony of sexual misconduct involving a child under the age of fifteen. See § 566.083, RSMo.

113. At around 8:30 AM, Respondent was booked in the Benton County Jail.

114. Later that day, the State filed a felony complaint against Respondent, charging him with the unclassified felony of enticement or attempted enticement of a child and the class E felony of sexual misconduct involving a child under the age of fifteen.

115. The Complaint was supported by a probable cause statement made under oath by the investigator that had interviewed Respondent earlier that morning.

116. The State requested the Circuit Court of Benton County issue a warrant to arrest Respondent and keep him detained pending trial.

117. Upon information and belief, on the afternoon of June 9, 2025, the Circuit Court for the County of Benton found probable cause that, on August 24, 2024, Respondent committed the criminal offenses of the unclassified felony of enticement or attempted enticement of a child and the class E felony of sexual misconduct involving a child under the age of fifteen.

118. The Circuit Court for the County of Benton issued a warrant for Respondent's arrest.

119. The circuit court stated that it had found, “based on the individual circumstances of [Respondent] and the case, reasonable grounds to believe [Respondent] will not appear on summons or is a danger to the victim, the community or other person.”

120. At around 3:47 P.M., a deputy of the Benton County Sheriff’s Office served the warrant on Respondent.

121. At around 5:28 P.M., Respondent was released from the Benton County Jail on bond.

C. Respondent violated Sections 106.220 and 54.100.

122. The Benton County courthouse is open from 8:00 A.M. to 4:30 P.M. Monday through Friday but is closed from 12:00 P.M. to 1:00 P.M. for lunch. *FAQ, BentonCoMo.*⁶

123. Upon information and belief, the usual business hours of the office of the treasurer of the County of Benton are from 8:00 A.M. to 4:30 P.M. Monday through Friday, with a temporary closure from 12:00 P.M. to 1:00 P.M. for lunch.

124. On June 9, 2025, Respondent did not attend his office at the county seat of the County of Benton during the usual business hours.

⁶ Available at: <https://www.bentoncomo.com/faq.html> (last visited July 15, 2025).

125. Upon information and belief, Respondent's absence from his office at the county seat of the County of Benton during the usual business hours was not due to other pressing official duties, illness, or some other lawful reason; rather, his absence was due to his arrest for two criminal offenses.

126. Upon information and belief, during the usual business hours of the office of the treasurer of the County of Benton, Respondent has used his personal cell phone or messaging apps.

127. Upon information and belief, Respondent has used his personal cell phone or messaging apps to converse with persons whom he believed to be younger than the age Missouri law recognizes to be able to consent to sexual conduct.

128. For example, upon information and belief, on Wednesday, August 28, 2024, sometime between 8:30 A.M. and 8:45 A.M., Respondent sent a message on Grindr to the profile created by T.S., B.W., M.K., and R.M., saying, "Happy hump day!"

129. Upon information and belief, Respondent is the only employee of the office of treasurer of the County of Benton.

130. Thus, upon information and belief, when Respondent is absent, no official business of the treasurer of the County of Benton can be conducted.

131. The Supreme Court has noted that § 54.100 should not be construed to mean that a county treasurer is required to a "continuous physical

presence . . . in his office during the usual business hours or to require respondent to devote his *entire time* personally during such hours to the actual physical performance of the duties of such office.” *Cumpton*, 240 S.W.2d at 885, *overruled in irrelevant part by Mosley*, 286 S.W.2d at 732.

132. However, the Missouri Supreme Court distinguished a mere physical absence from an office that is still managed by the elected official and an elected official who leaves “his office in charge of a deputy or deputies without any personal supervision, management or control on his part” *Cumpton*, 240 S.W.2d at 884, *overruled in irrelevant part by Mosley*, 286 S.W.2d at 732.

133. If a county treasurer was physically absent from office, and yet “exercised supervision, management and control of his office; . . . supervised and directed the activities of his assistants who did the manual physical work, accounting and bookkeeping necessary to the office; and that [he] assumed and discharged the responsibilities of the office,” then absence does not reach a willful neglect of an appointed office. *Cumpton*, 240 S.W.2d at 886, *overruled in irrelevant part by Mosley*, 286 S.W.2d at 732.

134. But, the Missouri Supreme Court has been unequivocal in its condemnation of an elected official’s unauthorized absence from his position:

There are certain elements of personal selection and personal responsibility imputed as dominating the minds of the voters in the election of officers who shall

perform the statutory duties in the several counties.

To take the view of defendant would be tantamount to saying that the selection of the voters is transferable and delegable on the part and at the unrestricted will of the elected, a thing which the Constitution itself specifically negatives, by providing generally that officers shall devote their time personally to the duties of the several offices to which they have been elected. Const. Mo. 1875, art 2, § 18.

Yager, 157 S.W. at 561.

135. The voters who elected Respondent to the office of Treasurer of the County of Benton expected him to personally be present in his office and to perform his statutory duties.

136. These voters did so especially given that the only employee of the office is Respondent.

137. Respondent had nobody to whom he could delegate the performance of his duties during the business hours of the day when he was in jail.

138. Therefore, Respondent has failed personally to devote his time to the performance of the duties of the office of Treasurer for the County of Benton. § 106.220, RSMo.

139. Further, Respondent has failed to attend his office at the county seat of the county for which he was elected during the usual business hours.

§ 54.100, RSMo.

Conclusion

140. Relator re-alleges all previous allegations as if set forth herein.

141. Because Respondent has engaged in actions causing the forfeiture of his office, this Court should issue a preliminary writ in quo warranto and, after any necessary proceedings, make that preliminary writ permanent and oust Respondent from the office of Treasurer of the County of Benton.

142. Respondent is a usurper who must be removed.

143. Therefore, and consistent with Relator's past practices, Relator requests that the Court, as part of its preliminary order in quo warranto, prohibit Respondent from exercising any authority as an elected official. *See, e.g., Preliminary Order in Quo Warranto, State ex rel. Hawley v. Hutcheson*, 17MI-CV00263 (Miss. Cnty. Cir. Ct. May 9, 2017) (preliminary order granting immediate ouster of Mississippi County Sheriff); *Preliminary Order in Quo Warranto, State ex inf. Bailey v. Burkett*, 23IR-CC00010 (Iron Cnty. Cir. Ct. Jun. 8, 2023) (preliminary order granting immediate ouster of Iron County Sheriff); *Preliminary Order in Quo Warranto, State ex inf. Bailey v. Jordan*, 24CG-CC00039 (Cape Girardeau Cnty. Cir. Ct. Feb. 8, 2024) (preliminary order granting immediate ouster of Cape Girardeau County Coroner); *Preliminary Order in Quo Warranto, State ex inf. Bailey v. Childers*, 24RY-CV00208 (Ray Cnty. Cir. Ct. Mar. 6, 2024) (preliminary order in quo warranto granting immediate ouster of Ray County Sheriff).

144. In the foregoing cases, the respondents' property rights to their salary was protected, even though they were not allowed to act as an elected official.

145. Therefore, the respondents' due process rights were preserved.

146. At the conclusion of the case, the Court should issue a permanent writ of quo warranto against Respondent to remove him from office, for all taxable costs, and for such other relief as this Court deems proper. § 531.050, RSMo.

Requests for Relief

WHEREFORE, Relator prays for an order of quo warranto immediately removing Respondent from office, for a permanent writ of quo warranto against Respondent removing him from office, for all taxable court costs, and for such other relief as this Court deems just and proper.

Dated: July 15, 2025

Respectfully submitted,

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