

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

CIVIL DIVISION CASE Number: _____

Filed Monday December 21, 2021

Stewart A. Webb,

816-492-9809

PO Box 472

Oak Grove, Missouri 64075

contact@stewwebb.com

federalwhistleblower@gmail.com

<http://www.stewwebb.com>

<http://www.stewwebb.com/radio>

Evergy Customer Account Number: 4327169751

1000 S.E. Prairie Lane #19

Oak Grove, MO. 64075

Plaintiff,

VS.

Evergy

Electric Utility Company

P.O. Box 219703

Kansas City, MO. 64121-9703

ebill@billing.evergy.com

816-471-5275

888-471-5275

888-544-4852

Defendants,

Complaint

In Law and Equity

For Immediate Restraining Order

And Order of Protection to Pull Smart Meter

COMPLAINT FOR INJUNCTIVE RELIEF

NOW COMES the Plaintiff, Stewart A. Webb (Stew Webb herein) appearing pro se and in forma pauperis and herein, upon information and belief and established facts, and for his causes of action against all named and unnamed Defendants alleges and states the following:

Therefore, premises considered, this action is properly grounded in both jurisdiction and venue under the Federal Rules of Criminal Procedure (F.R.Cr.P.)

18 USC 4 Federal Reporting Crime Act (whoever having knowledge of the actual commission of a felony cognizable by a court of the united States, conceals and does not, as soon as possible, make known the same to some judge or other person in civil or military authority under the united States shall be fined not more than \$500.00 or imprisoned not more than three years or both).

**FIRST REGULAR SESSION
HOUSE BILL NO.1175
98TH GENERAL ASSEMBLE
AN ACT**

To amend chapter 386, RSMo, by adding thereto one new section relating to the use of smart meters, with a penalty provision.
Be it enacted by the General Assembly of the state of Missouri, as follows:

386.825, to read as follows:

Line 45 (7) A customer may opt out of any electronic monitoring and a smart meter usage on his or her property by providing a written signed declaration to his or her utility which clearly states his or her desire to opt out of electronic monitoring and smart meter usage on his or her property. If a customer opts out of electronic monitoring the utility shall then provide an analog meter for the customer at no additional charge. No utility shall induce or entice any such waiver by the promise of any monetary gain or a reduction in electrical billing charges.

45 (7) A customer may opt out of any electronic monitoring and smart meter usage on
46 his or her property by providing a written, signed declaration to his or her utility which
47 clearly states his or her desire to opt out of electronic monitoring and smart meter usage
48 on his or her property. If a customer opts out of electronic monitoring, the utility shall then
49 provide an analog utility meter for the customer at no additional charge. No utility shall
50 induce or entice any such waiver by the promise of any monetary gain or a reduction in
51 electrical billing charges.

FIRST REGULAR SESSION

HOUSE BILL NO. 1175

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REMOLE

2456H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to the use of smart meters, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be
2 known as section 386.825, to read as follows:

386.825. 1. As used in this section the following terms mean:

2 (1) "Electronic monitoring", the use of smart meters or any other technologies to
3 record information regarding the consumption and use of electricity by individual
4 residences;

5 (2) "Person", a state or federal military organization; a law enforcement
6 organization or agency whether local, state, or federal; a business; a corporation; a
7 partnership; a union; an association of any kind; or an individual person;

8 (3) "Smart meter", a meter that records consumption of electric energy at certain
9 intervals and communicates that information back to a utility for any purpose whatsoever;

10 (4) "Utility", an electric utility regulated by the Missouri public service commission
11 under chapters 386 and 393, a rural electric cooperative regulated under chapter 394, a
12 municipal utility, or any other utility whether authorized or unauthorized by Missouri law
13 that sells electrical power to end user individual residences within this state.

14 2. (1) No utility shall collect, store, use, sell, give, or transfer by any other means
15 to any other person the content of records obtained by electronic monitoring. This
16 subsection shall not inhibit the internal use of such information by utilities for the sole
17 purpose of billing and monitoring electrical usage to comply with local, state, or federal

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

HB 1175

2

18 laws and regulations governing the safe and efficient provision of electrical services to the
19 public.

20 (2) In no case shall records obtained from electronic monitoring that contain
21 identifying information related to individual residences be retained for a period longer
22 than four years. Aggregate information on power usage that does not identify individual
23 residences as consumers of electricity may be maintained indefinitely by a utility.

24 (3) The transfer of information or failure to destroy information in violation of this
25 section shall be a civil crime with a penalty of not less than ten thousand dollars per
26 violation nor more than twenty-five thousand dollars per violation. A second violation
27 shall result in a penalty of not less than one hundred thousand dollars nor more than two
28 hundred thousand dollars.

29 (4) Any court of proper jurisdiction may enforce the civil penalty provisions of this
30 subsection by granting attorney fees. A court may grant injunctive relief including, but not
31 limited to, an order to permanently cease all electronic monitoring and conduct billing by
32 other methods where deemed appropriate.

33 (5) There shall be no implicit waiver of rights under subdivisions (1) and (2) of this
34 subsection to a customer. A customer may, by his or her express written consent, waive
35 the requirement of subdivisions (1) and (2) of this subsection. However, no utility shall

36 induce or entice any such waiver by the promise of any monetary gain or a reduction in
37 electrical billing charges. Such waiver shall be in writing, signed, and contain an explicit
38 acknowledgment that the electronic monitoring records may be transferred to third parties
39 by the utility.

40 (6) A utility utilizing electronic monitoring or smart meter technology on a
41 customer's property shall disclose such use to the customer. Such disclosure shall be
42 printed conspicuously on each utility bill and contain an explicit acknowledgment that
43 electronic monitoring or smart meter technology is utilized on a customer's property in not
44 less than one-half inch boldface type.

45 (7) A customer may opt out of any electronic monitoring and smart meter usage on
46 his or her property by providing a written, signed declaration to his or her utility which
47 clearly states his or her desire to opt out of electronic monitoring and smart meter usage
48 on his or her property. If a customer opts out of electronic monitoring, the utility shall then
49 provide an analog utility meter for the customer at no additional charge. No utility shall
50 induce or entice any such waiver by the promise of any monetary gain or a reduction in
51 electrical billing charges.

52 3. (1) Any information obtained in violation of this section is inadmissible as
53 evidence in a court of law within this state.

HB 1175

3

54 (2) If any evidence was actually discovered as a result of information obtained in
55 violation of this section, then such evidence is inadmissible without regard to any common
56 law doctrine of waiver, any constitutional doctrines of exceptions to inadmissibility, or any
57 local, state, or federal rules of evidence.

58 (3) A prosecutor may introduce evidence of electronic monitoring identifying
59 individual residences where such information is obtained by a proper warrant that is based
60 on the Fourth Amendment standard and state statutory requirements for reasonable
61 suspicion involving other evidence of criminal wrongdoing. However, such evidence shall
62 be obtained by a warrant issued prior to the one-year deadline for the destruction of such
63 evidence mandated by this section in order to be admissible in a court of law.

64 (4) If any conviction is obtained at a trial by judge and jury where evidence was
65 presented in violation of this section, then such conviction is null and void, and it shall be
66 set aside. No retrial on the same or a lesser included offense shall be allowed.

✓

See: Please click on link below
FIRST REGULAR SESSION
HOUSE BILL NO.1175
98TH GENERAL ASSEMBLY

AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to the use of smart meters, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows: 386.825, to read as follows:

<http://www.stewwebb.com/2456H.011.pdf>

<https://house.mo.gov/billtracking/bills151/hlrbillspdf/2456H.011.pdf>

AFFIDAVIT IN SUPPORT OF

Plaintiff Stewart Webb COMPLAINT

I hereby make this Affidavit to be true to the best of my knowledge and belief this date December 21, 2021.

Plaintiff wishes to bring forth evidence to the Court concerning crimes, which have been committed against the Plaintiff Stewart Webb. Plaintiff will show through **(evidence herein incorporated below)** and testimony that various felonious acts including Perjury to illegally charge the Plaintiff Stewart Webb to remove the Evergy smart meter after Plaintiff Stewart Webb notified Defendant Evergy Utility by telephone and recorded the call as evidenced herein.

45 (7) A customer may opt out of any electronic monitoring and smart meter usage on
46 his or her property by providing a written, signed declaration to his or her utility which
47 clearly states his or her desire to opt out of electronic monitoring and smart meter usage
48 on his or her property. If a customer opts out of electronic monitoring, the utility shall then
49 provide an analog utility meter for the customer at no additional charge. No utility shall
50 induce or entice any such waiver by the promise of any monetary gain or a reduction in
51 electrical billing charges.

Recorded conversation by Plaintiff Stewart Webb with Defendants Evergy Official December 20, 2021 to pull Plaintiff Stewart Webb Smart Meter trying to charge Plaintiff Stewart Webb \$150.00 (One Hundred and Fifty Dollars) as evidence herein in violation of chapter 386, RSMo.

<http://www.stewwebb.com/evergy-pull-meter-2021-12-20.mp3>

Plaintiff Stewart Webb has symptoms of Radiation Posing and will be tested by Medical Personnel this week.

Plaintiff Stewart Webb has suffered these symptoms for nearly 60 days and has been taking a known Radiation removal call "Spirulina" an over the counter Dietary Supplement which is making improvements in the effects of the Plaintiff Health.

Plaintiff was told by Defendants in the recorded conversation that the Defendants Every installed the smart meters in Plaintiff rental in January 2021 as evidenced in the recorded call.

Plaintiff Stewart Webb reserves the right to amend this Complaint this suit.

CONCLUSION

WHEREFORE, PLAINTIFF prays that this Honorable Court hear and grant this, his **COMPLAINT** and render all proper and suitable relief in the premises, to include:

1. Issuance of a Finding of Facts and Conclusions of Law, that violations of Plaintiff's civil rights, and freedoms, have been committed by these defendants, all, in a conspiratorial, collusive, collaboration of events that have seriously endangered Plaintiffs life and livelihood from Radiation Posing.
2. Issuance of a Protective ORDER, against any further violations or attempts on Plaintiff's life by the defendants herein set forth,
3. Permission for a Jury Trial of these actions to be held.
4. All other suitable and equitable relief in the circumstances.

DATED; December 21, 2021

MOST RESPECTFULLY SUBMITTED,

STEWART A. WEBB, PLAINTIFF,

Pro se, and in forma pauperis,

Stewart Anthony Webb

S/

PO Box 472

Oak Grove, Missouri 64075

816-492-9809

<http://www.stewwebb.com>

contact@stewwebb.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

U.S. District Court Judge _____

Signature of Order to pull smart meter and replace with analog meter immediately.

CERTIFICATE OF MAILING:

I, STEWART A. WEBB, hereby certify, pursuant to local

Rules of civil procedure that I have placed a true and correct copy of the foregoing COMPLAINT into the U. S. Postal Service, postage prepaid, addressed to the following:

Defendants,

Evergy

Electric Utility Company

P.O. Box 219703

Kansas City, MO. 64121-9703

ebill@billing.evergy.com

816-471-5275

888-471-5275

888-544-4852

To be served by US Marshall upon Defendants:

Defendants,

Evergy

Electric Utility Company

P.O. Box 219703

Kansas City, MO. 64121-9703

ebill@billing.evergy.com

816-471-5275

888-471-5275

888-544-4852