

IN THE CIRCUIT COURT OF JASPER COUNTY, MISSOURI

MISSOURI DENTAL BOARD
 3605 Missouri Blvd.
 P.O Box 1367
 Jefferson City, MO 6512-1367

Petitioner,

vs.

Cause No.:

JOHN HENRY JOSEPH, II, D.D.S.
 Serve at:
 5227 S. Main, Suite C
 Joplin, MO 64804

Respondent.

PETITION FOR INJUNCTION

COMES NOW Petitioner, Missouri Dental Board, by counsel, Grayson & Grayson, LLC, and pursuant to Missouri Rule of Civil Procedure 92.02 and Section 332.121 RSMo., brings this action requesting the Court enjoin John Henry Joseph, II, D.D.S. from engaging in practices which present a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client or patient of the licensee and states for its cause of action against Respondent as follows:

1. Missouri Dental Board ("Board") is an agency of the State of Missouri and created and established pursuant to Section 332.321, RSMo¹, for the purpose of executing and enforcing provisions of Chapter 332.
2. The Board is empowered, pursuant to Section 332.121, RSMo., to institute a cause of action when necessary to protect the rights and interests of the State of Missouri and its residents.

¹ All statutory references are to the Revised Statutes of Missouri Cumulative Supplement (2020), unless otherwise stated.

3. Respondent, John Henry Joseph, II, D.D.S., is licensed by the Board as a dentist, license number 2019001757. Respondent's license was current and active at all relevant times herein.

4. Respondent, John Henry Joseph, II, D.D.S.'s last known business address is 5227 S. Main Street, Suite C, Joplin, Missouri 64804. Upon information and belief, Respondent resides in Jasper County, Missouri.

5. Section 332.121(2), RSMo empowers the Board to bring an action in a court of general jurisdiction seeking an order to enjoin any person from engaging in any practice or business authorized by a certificate of registration or authority, permit or license issued pursuant to this chapter upon a showing that the holder presents a **substantial probability of serious danger** to the health, safety or welfare of any resident of this state or client or patient of the licensee.

6. Venue is proper before this Court pursuant to Section 332.121, RSMo.

7. Section 332.121, RSMo provides in part:

1. Upon application by the board and the necessary burden having been met, a court of general jurisdiction may grant an injunction, restraining order, or other order as may be appropriate to enjoin a person, corporation, firm, or other entity from:

(2) Engaging in any practice or business authorized by a certificate of registration or authority, permit or license issued pursuant to this chapter upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client or patient of the licensee; []

2. Any such action shall be commenced either in the county in which the defendant resides or in the county in which such conduct occurred.

8. Supreme Court Rule 92.02(d) states:

No injunction or temporary restraining order, unless on final hearing or judgment, shall issue in any case, *except in suits instituted by the state in its own behalf*, until the plaintiff, or some responsible person for the

plaintiff, shall have executed a bond with sufficient surety or sureties to the other party, in such sum as the court shall deem sufficient to secure the amount or other matter to be enjoined, and all damages that may be occasioned by such injunction or temporary restraining order to the parties enjoined, or to any party interested in the subject matter of the controversy, conditioned that the plaintiff will abide by the decision that shall be made thereon and pay all sums of money, damages and costs that shall be adjudged if the injunction or temporary restraining order shall be dissolved. In lieu of the bond the plaintiff may deposit with the court such sum, in cash, as the court may require sufficient to secure such amount. (emphasis added).

9. Joplin Police Department opened a narcotics investigation involving the Respondent wherein detectives learned K.H. and K.H were consistently traveling to Tulsa, Oklahoma where they would purchase fentanyl and deliver it back to the Joplin area, specifically to the Respondent.

10. On or about March 5, 2025, Respondent was arrested and charged with 1st Degree Trafficking Drugs, a Class A Felony, and Unlawful Use of a Weapon, a Class E Felony in the Newton County District Court.

11. The Probable Cause Statement states a Joplin detective ("the detective") observed Respondent participating in a "hand-to-hand" narcotic transaction in a parking lot near Respondent's business location.

12. Respondent was detained at the scene after getting back in his truck and was searched.

13. The detective located a large package weighing 11 grams containing a substance believed to be Fentanyl.

14. A search of Respondent's truck found another gram of Fentanyl, multiple items of drug paraphernalia consistent with the ingestion of Fentanyl, and an H&K 9mm pistol, later found to be reported as stolen from a residence in Joplin in 2016.

15. While under Miranda, Respondent stated that he provided six hundred dollars (“\$600.00”) for the large package found in his jacket.

16. On or about September 6, 2024, the State of Kansas filed a Complaint and Probable Cause Statement against Respondent, charging him with Count 1: Leaving the Scene of a Fatality Accident, K.S.A. 8-1602(a) & (b)(5), and Felony Count 2: Contributing to a Child's Misconduct or Deprivation, K.S.A. 21-5603(a)(5) & (b)(1), Felony.

17. The charges stem from an incident that occurred on or about August 20, 2023, wherein Respondent's son struck a man on or about August 19, 2023, and did not stop.

18. Respondent, and his son, returned to the scene about 40 minutes later, and then left the area without contacting the police.

19. The complaint, filed by the State of Kansas, alleges that on or about August 20, 2023, Respondent encouraged his son, a child under the age of 18, to leave the scene of a fatal accident, caused by his son.

20. The complaint further alleges that on or about that same day, in Cherokee County, Kansas, Respondent was the driver of a motor vehicle that was involved in an accident that resulted in the death of a person.

21. Respondent knew or reasonably should have known that the accident resulted in injury or death of a person, and unlawfully and feloniously failed to immediately stop such vehicle at the scene of such accident, or as close thereto as possible, and then failed to immediately return to and remain at the scene of the accident until the driver had fulfilled the requirements.

22. The Central Investigations Unit (“CIU”) met with O.H., Respondent's assistant, on March 7, 2024. She informed CIU she had not heard from the Respondent. All the staff at the office informed CIU they were left in the dark and had no direction regarding patient care.

23. Respondent's afore-mentioned actions present a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client or patient of the licensees.

24. Absent an order prohibiting Respondent from practicing dentistry until they can act, Respondent will continue to act in a manner that presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client or patient of the licensees.

WHEREFORE, based on the foregoing, Petitioner requests that this Court:

A. Issue a preliminary and permanent injunction, pursuant to Missouri Rule of Civil Procedure 92.02, without bond, prohibiting Respondent from engaging in the practice of dentistry;

B. Issue a judgment finding that Respondent's conduct presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client or patient of the licensees; and

C. Order such other relief as is appropriate.

Respectfully Submitted,

GRAYSON & GRAYSON, LLC

By: /s/ Adam G. Grayson

Adam G. Grayson #61976

Sam Lincoln #73821

915 Southwest Blvd., Suite N

Jefferson City, MO 65109

Telephone: 573-635-0308

Facsimile: 573-635-0471

adam@graysonlegal.com

sam@graysonlegal.com

ATTORNEYS FOR MISSOURI
DENTAL BOARD

STATE OF MISSOURI

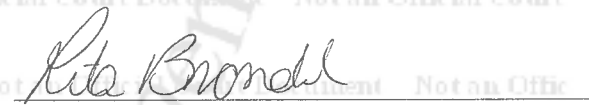
] ss.

COUNTY OF COLE

Brian Barnett, as executive director and on behalf of the Missouri Dental Board, being duly sworn on his oath, states that the facts stated herein are true and accurate according to the best of his knowledge and belief.


Brian Barnett

Subscribed and sworn to before me this 16 day of April, 2025.


Notary Public
State of Missouri
My term expires: May 12, 2027

