



**In the Missouri Court of Appeals**  
**Eastern District**  
**DIVISION FOUR**

DAVID B. WASHINGTON,	)	
	)	No. ED91609
Plaintiff/Appellant,	)	
	)	Appeal from the Circuit Court
v.	)	of St. Louis County
	)	
DANIEL M. MATT,	)	Honorable John R. Essner
	)	
Defendant/Respondent.	)	Date: April 14, 2009

Before Kathianne Knaup Crane, P.J., Mary K. Hoff, J., and Kenneth M. Romines, J.

Appellant, David B. Washington, filed a petition for an Order of Protection against respondent, Daniel Matt, pursuant to section 455.020 RSMo (2000). After an evidentiary hearing, the trial court determined that appellant had not proved the allegation of abuse and denied appellant's request for a full order of protection in a written judgment. Appellant appeals *pro se*. Respondent has filed a motion to dismiss the appeal for failure to follow Rule 84.04. Appellant did not file a response to the motion to dismiss. We dismiss the appeal for failure to comply with the rules of appellate procedure.

The brief and appendix filed in this appeal are virtually identical to the appellant's brief filed in *Washington v. Blackburn*, ED 91610 (Mo.App. Apr. 14, 2009), being handed down concurrently herewith. The brief and appendix fail to comply with Rule 84.04 for the same reasons that are set out in our opinion in *Blackburn*. The record on appeal fails to comply with Rule 81.12 in substantially the same respects and for the same reasons that are set out in our

opinion in Blackburn. The brief and record on appeal are inadequate to invoke the jurisdiction of this court and preserve nothing for review. Accordingly, the appeal is dismissed.

PER CURIAM.