



In the Missouri Court of Appeals
Eastern District
NORTHERN DIVISION

JENNIFER PHILIPS, AMBER PHILIPS,)	No. ED100289
MARIAH PHILIPS, AND IAN PHILIPS)	
NEXT FRIEND JENNIFER PHILIPS,)	
)	
Appellants,)	
)	Appeal from the Circuit Court
vs.)	of Pike County
)	
CITIMORTGAGE, INC.,)	Honorable James D. Beck
)	
Respondent.)	Filed: May 6, 2014

Jennifer Philips and her children, Amber Philips, Mariah Philips, and Ian Philips by his next friend, Jennifer Philips (collectively “Plaintiffs”), appeal the judgment of the trial court dismissing their claims against Citimortgage, Inc.

AFFIRMED IN PART AND REVERSED AND REMANDED IN PART.

Northern Division Holds: The trial court did not err in dismissing Jennifer Philips’ claims as barred by res judicata, and in dismissing the remaining Plaintiffs’ claim for nuisance for failure to state a claim. However, the trial court erred in dismissing the children’s remaining claims for trespass, invasion of privacy, and prima facie tort for failure to state a claim.

Opinion by: Robert M. Clayton III, C.J.
Clifford H. Ahrens, J., and Mary R. Russell, Sp.J., concur.

Attorney for Appellant: Kristin M. Perry, Robert E. Perry IV

Attorneys for Respondent: Elizabeth C. Carver, Veronica A. Gioia

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.