

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

DEBRY LA NEAR, ) ED102468  
 )  
 Appellant, ) Appeal from the Circuit Court  
 ) of St. Charles County  
 v. ) 0911-CV08572-01  
 )  
 CITIMORTGAGE, INC., et al., ) Honorable Richard K. Zerr  
 )  
 Respondents. ) Filed: January 5, 2016

Debry La Near (La Near) appeals the trial court’s judgment finding that her ownership of certain property (the Property) was subject to deeds of trust held by Respondents.

**AFFIRMED.**

Division Two Holds: The trial court did not err in admitting and relying upon the testimony of Respondents’ expert witness regarding the process of escrow closings and the witness’ application of that knowledge to the facts here. La Near gained her interest in the Property through a quitclaim deed executed by Kirby Warren to himself and La Near as joint owners. However, at the time Warren executed the quitclaim deed, he did not have an interest in the Property because escrow had not yet broken. When the escrow agent broke escrow and delivered the general warranty deed to Warren, the Property was simultaneously encumbered by the deeds of trust held by Respondents, who financed the purchase of the Property. Thus, Warren’s interest in the Property was at all times encumbered by the deeds of trust, and La Near’s present interest in the Property is so encumbered.

Opinion by: Gary M. Gaertner, Jr., J.  
 Philip M. Hess, P.J., and Angela T. Quigless, J., concur.

Attorney for Appellant: Debry La Near, Pro Se  
 Attorneys for Respondents: Katrina G. Bakewell and Peter H. Love

**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.**