

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DiSALVO PROPERTIES, LLC,)	No. ED104151
)	
Plaintiff/Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
v.)	
)	
DEBORAH B. PURVIS, ELIZABETH E.)	
NOLAN, NIS CONSTRUCTION)	
SERVICES, LLC, and JENNINGS)	
STATION CROSSING, LLC,)	
)	
Defendants,)	Honorable Michael D. Burton
)	
and)	
)	
GARY L. HALL, BENTLEY)	
INVESTMENTS OF NEVADA, LLC, and)	
PENFIELD'S BUSINESS CENTERS, LLC,)	
)	
Defendants/Respondents.)	Filed: September 20, 2016

DiSalvo Properties, LLC (Appellant) appeals from the circuit court's summary judgment entered in favor of Gary L. Hall, Bentley Investments of Nevada, LLC, and Penfield's Business Centers, LLC.

DISMISSED.

Division Two Holds: The interlocutory summary judgment Appellant appeals from is not a final, appealable judgment because it lacks the required language set forth in Rule 74.01(b);¹ and the circuit court's "*Nunc Pro Tunc* Judgment" purporting to finalize the summary judgment for appeal by adding the required language failed because *nunc pro tunc* judgments can only be used to correct clerical errors and not make substantive changes. Unlike an amended judgment under Rule 75.01, a *nunc pro tunc* judgment is not a judicial declaration of the parties' rights but merely a judicial power to ensure the accuracy of its own records. Pirtle v. Cook, 956 S.W.2d 235, 242 (Mo.banc 1997).

Opinion by: Sherri B. Sullivan, P.J. Roy L. Richter, J., and Colleen Dolan, J., concur.

Attorney for Appellant: Steven W. Koslovsky
Attorney for Respondents: William M. Modrcin

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.
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¹ All rule references are to Mo. R. Civ. P. 2015, unless otherwise indicated.