

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FIVE

DAVID M. HAMES,)	No. ED91499
Appellant)	
)	Appeal from the Circuit Court
v.)	of Washington County
)	
ROBERT BELLISTRI and)	No. 05WA-CC00368
MICHAEL MCGIRL,)	
Respondents.)	FILED: July 21, 2009

OPINION SUMMARY

The appellant, David M. Hames, appeals from a Washington County Circuit Court judgment quieting title to real estate in favor of Respondent Robert Bellistri, and extinguishing Hames’ rights to property known as “all of parcel 19, Sector II, Lake Forest Farms Subdivision, as shown on a plat thereof recorded in Plat Book 11 at page 1 of the Land records of Washington County, Missouri.” The property was sold at a second offering delinquent land tax sale in 2002. Hames, the recorded deed holder, brought this action seeking to set aside the tax sale and collector’s deed issued to Bellistri.

On appeal, Hames raises seven points of error; in Point VI, Hames argues that summary judgment in Bellistri’s favor was improper because Bellistri incorrectly stated the redemption period in the notice of redemption, and therefore, he failed to comply with Section 140.405 of the Jones-Munger Act.

REVERSED AND REMANDED IN PART.

SOUTHERN DIVISION HOLDS:

Bellistri failed to correctly state the redemption period, and therefore, he failed to comply with section 140.405 RSMo (Supp. 2003)¹ and has lost his interest in the property. Therefore, we reverse and remand.

Opinion by: Nannette A. Baker, P.J. Patricia L. Cohen, J., and Kurt S. Odenwald, J., concur.

Attorneys for Appellant: Acting *pro se*
Attorney for Respondent: Phillip Gebhardt and John Rupp

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.

¹ All statutory references are to RSMo (Supp. 2003), unless otherwise noted.