

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FIVE

BRADLEY FERGUSON,)	No. ED92467
)	
Appellant,)	Appeal from the Circuit Court
)	of Franklin County
vs.)	
)	Honorable John B. Berkemeyer
EDWARD HILLHOUSE, et al.,)	
)	
Respondent.)	FILED: October 6, 2009

Bradley Ferguson ("Ferguson") appeals the judgments of the Circuit Court of Franklin County first denying his petition for a writ of mandamus and subsequently denying his petition for judicial review. We dismiss his appeal as moot.

DISMISSED

Division Five Holds:

Ferguson's appeal is dismissed as moot because the August 5, 2008 election date has passed, and the current version of section 72.080 no longer provides for the incorporation of a village.

Opinion by: Roy L. Richter, J. Glenn A. Norton, J., concurs
Kenneth M. Romines, C.J., dissents in separate opinion

Attorneys for Appellant: Andrew Kasnetz, Elizabeth A. Murphy

Attorneys for Respondent: Mark S. Vincent

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.