

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

DIVISION FOUR

GWEN MARIE SPICER,	)	No. ED93371 & ED93529
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of St. Louis County
v.	)	
	)	Case Number: 2107CC-03416-01
DONALD N. SPICER	)	
REVOCABLE LIVING TRUST,	)	
ET AL.,	)	Honorable John A. Ross
	)	
Respondents.	)	Filed: June 15, 2010

Gwen Marie Spicer (Wife) appeals from the trial court's judgment in favor of the Donald N. Spicer Revocable Living Trust, Steven G. Spicer, Debra Pauli, and Robert Spicer.

REMANDED WITH INSTRUCTIONS.

Division Four Holds: 1) Trial court lost jurisdiction over January 22, 2008 judgment thirty days after its entry, as motion to set aside and dismiss filed by non-party was not an authorized after-trial motion affecting finality of judgment; and 2) trial court's judgment is modified to enter judgment against Trustee.

Opinion by: Gary M. Gaertner, Jr., J.  
Kurt S. Odenwald, P.J., and George W. Draper III, J., concur.

Attorney for Appellants: Ron Ribaldo  
Attorney for Respondents: Gregory G. Fenlon

**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.**