

OPINION SUMMARY
MISSOURI COURT OF APPEALS – EASTERN DISTRICT
DIVISION THREE

IN RE THE MATTER OF:)	No. ED93765
S.A.S. by her next friend,)	
Z.J.S.,)	Appeal from the Circuit Court
Individually,)	of St. Charles County
Petitioners/Appellants,)	0711-FC00063
)	Honorable William E. Alberty
vs.)	
)	
B.P.,)	
Respondent,)	
)	
and)	
)	
T.L.N.,)	
Third-Party Respondent/Appellant.)	FILED: April 6, 2010

Z.J.S. appeals from the grant of summary judgment in favor of B.P. (Mother) regarding the issue of the legal parentage of S.A.S. (Child) and the constitutionality of Section 210.834, RSMo 2000. T.L.N. appeals the trial court’s failure to consider the best interests of Child.

REVERSED AND REMANDED.

Division Three Holds: We hold Z.J.S.’s constitutional challenge to Section 210.834 was not properly preserved for appellate review. We reverse the trial court’s findings on the issues of chain of custody and rescission of the Acknowledgment of Paternity due to an insufficient record. The cause is remanded for further proceedings consistent with this opinion. As a result, we need not consider Noble’s appeal.

Opinion by Mary K. Hoff, Judge
Glenn A. Norton, Presiding Judge and Lawrence E. Mooney, Judge, concur.

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