

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

DEANNA JANE KRAEMER, Appellant, ) No. ED94239  
)  
vs. ) Appeal from the Circuit Court  
) of St. Louis County  
JOSEPHINE MANISCALCO, Respondent. ) Filed: August 31, 2010

Deanna Jane Kraemer appeals from the judgment granting Josephine Maniscalco's motion to dismiss and dismissing her petition to contest a will and admit a rejected will.

REVERSED AND REMANDED.

Division Four holds: The heirs-at-law omitted from the petition to contest the will were not necessary parties pursuant to Section 473.083.3, RSMo 2000, and therefore, the trial court erred in dismissing the petition.

Opinion by: Robert G. Dowd, Jr., J.  
Kurt S. Odenwald, P.J. and Nannette A. Baker, J., concur.

Attorneys for Appellant: Robert A. Cappiello and John C. Weller

Attorney for Respondent: Canice Timothy Rice, Jr.

**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.**