

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

RIVER CITY DRYWALL, INC., et al.,	)	Nos. ED94990 and ED94991
	)	
Appellants,	)	Appeal from the Circuit Court
	)	of St. Louis County
vs.	)	
	)	Honorable Michael T. Jamison
RALEIGH PROPERTIES, INC., et al.,	)	
	)	
Respondents.	)	Filed: May 17, 2011

In this mechanic’s lien case, we are presented with the question of whether lien claimants performed their work as original contractors or whether they were subcontractors, such that they then had to provide the ten-day notice required under Section 429.100. The trial court held that the claimants were subcontractors. Consequently, because the claimants did not file the statutorily-required ten-day notice, the court ruled that the claimants were not entitled to the requested liens and therefore entered judgment against the claimants.

**JUDGMENT REVERSED; CAUSE REMANDED**

**DIVISION THREE HOLDS:** The claimants contracted with the agent of the property owner. Therefore, the claimants are considered original contractors and, as such, they were not required to give notice under Section 429.100.

Opinion by: Lawrence E. Mooney, J. Sherri B. Sullivan, P.J., and Clifford H. Ahrens, J. concur.

Attorneys for Appellants: Michael J. Rolwes and Thomas G. Berndsen

Attorneys for Respondents: Martin W. Blanchard and Michael C. Schroer

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.  
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND  
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