

**OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT
DIVISION TWO**

APPLIED BANK,)	No. ED95453
)	
Plaintiff/Appellant,)	
)	Appeal from the Circuit
vs.)	Court of St. Charles County
)	
THEODORE WENZLICK,)	
)	
)	Honorable Matthew E.P. Thornhill
Defendant/Respondent.)	
)	Filed: April 19, 2011

Applied Bank (hereinafter, “Bank”) brought an action against Theodore Wenzlick for breach of contract related to the usage of a credit card account. Bank voluntarily dismissed its action without prejudice. The trial court then entered its order and judgment dismissing Bank’s action with prejudice. Bank brings this one-point appeal.

REVERSED AND REMANDED.

Division Two Holds: The trial court did not have jurisdiction to enter judgment after Bank voluntarily dismissed its action pursuant to Rule 67.02(a). Accordingly, the trial court is directed to vacate its judgment.

Opinion by: George W. Draper III, J.
Glenn A. Norton, P.J. and Kathianne Knaup Crane, J., concur

Attorneys for Appellant: Richard Milone
Attorney for Respondent: Pro Se

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.
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