

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

DIVISION THREE

In the Matter of the Estate of R.M.	)	No. ED95675
	)	
	)	Appeal from the Circuit Court of
	)	Jefferson County
	)	
	)	Honorable Raymond A. Dickhaner
	)	
	)	Filed: October 25, 2011

Before Robert G. Dowd, Jr., P.J., Mary K. Hoff, J., and Sherri B. Sullivan, J.

OPINION SUMMARY

P.M. (Appellant) appeals from the final order of the Probate Division of the Circuit Court of Jefferson County (probate court) dismissing her Petition for the Appointment of Guardianship of R.M. (Minor) and vacating her Writ of Habeas Corpus.

AFFIRMED IN PART and DISMISSED IN PART.

Division Three Holds: (1) The probate court's judgment dismissing Appellant's petition for the appointment of guardianship under Section 475.030.4<sup>1</sup> is affirmed under Rule 84.16(b). (2) Because there is a prior court order determining the legal custody of Minor, Appellant may not appeal the probate court's decision in her habeas corpus proceeding via Section 512.025.

Opinion by: PER CURIAM.

Attorneys for Appellant:	Kristin K. Zurek and Cherlyn M. Crosby
Attorneys for Respondent:	Catherine Keefe, Jayne Glaser and Benicia Baker-Livorsi
Attorneys for Amicus Curiae:	Elizabeth Mitchell, Daniel S. Volchok, Elizabeth Mooney, Anthony E. Rothert, Grant R. Doty, Leslie Cooper
Guardian ad Litem:	Steven M. Davis

**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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<sup>1</sup>All statutory references are to RSMo 2006.