

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DONALD W. SHEA and DAVID M. SHEA, Respondents.)	No. ED97977
)	
vs.)	Appeal from the Circuit Court Warren County
)	
MARY A. GAITHER and DONALD U. GAITHER, Individually and as Trustees of the Doris V. Staats Lifetime Trust, et al., Appellants.)	Filed: January 2, 2013

The defendant trustees of the Doris V. Staats Lifetime Trust, Donald and Mary Gaither, appeal individually and in their capacity as trustees from the judgment of the Circuit Court of Warren County entered after hearing on the residuary beneficiaries' objections to the trustees' final accounting and proposed distribution. The plaintiffs, Donald Shea and David Shea, nephews of the settlor and the residuary beneficiaries of the trust, filed suit in multiple counts against the trust, the trustees individually, and several others.

APPEAL DISMISSED.

DIVISION FOUR HOLDS: Because the trial court did not dispose of one claim, and because of other deficiencies in the judgment, the trial court's entry of judgment on the final accounting does not constitute a final judgment, notwithstanding the trial court's attempt to designate it as such for appeal. Therefore, this Court lacks jurisdiction, and we dismiss the trustees' appeal.

Opinion by Lawrence E. Mooney, P.J. Patricia L. Cohen, J., and Kurt S. Odenwald, J., concur.

Attorneys for Appellants: Mark A. Wenner and John K. Howald

Attorneys for Respondents: Jahn D. Rohrer and Reed B. Kenagy III

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.