

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

SOUTHERN DIVISION

COLT INVESTMENTS, L.L.C.,)	No. ED99280
)	
Respondent,)	
)	Appeal from the Circuit Court
vs.)	of St. Francois County
)	
DENNIS LEE BOYD)	Honorable Robin Edward Fulton
D/B/A DENNY MOTORS,)	
)	
Appellant.)	Filed: November 26, 2013

Dennis Lee Boyd d/b/a Denny Motors (“Boyd”) appeals the judgment of the trial court in favor of Colt Investment, L.L.C. (“Colt”) on its petition for unlawful detainer. Boyd challenges the trial court’s assessment and award of damages.

AFFIRMED AS MODIFIED.

Southern Division holds: The trial court erred in its calculation of damages for unlawful detainer, and therefore we modify the court’s judgment accordingly. The trial court did not err in admitting the valuation expert’s opinion of the fair rental value of the property at issue. In addition, the trial court’s determination of the fair rental value of the property was not against the weight of the evidence and was supported by substantial evidence.

Opinion by: Robert M. Clayton III, J.
Roy L. Richter and Gary M. Gaertner, Jr., J., concur.

Attorney for Appellant: Clinton B. Roberts

Attorneys for Respondent: Brian J. McNamara

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.