

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

#### DIVISION FOUR

ALICIA DUNN, ADAM CHMIELIK AND )	No. ED99570
BENJAMIN MILLER, )	
)	
Plaintiffs/Appellants, )	Appeal from the Circuit Court of
)	St. Louis County
vs. )	
)	Honorable Thomas J. Prebil
BOARD OF CURATORS OF THE )	
UNIVERSITY OF MISSOURI AND )	
MISSOURI COORDINATING BOARD )	
FOR HIGHER EDUCATION, )	
)	
Defendants/Respondents. )	Filed: November 12, 2013

Alicia Dunn and two other veterans attending publicly funded universities in Missouri (“Veterans”) appeal the judgment of the trial court dismissing their claims against the Board of Curators of the University of Missouri (“University”) and Missouri Coordinating Board for Higher Education (“MCBHE”) for res judicata.

AFFIRMED.

DIVISION FOUR HOLDS: Veterans’ petition in the instant action is in all material respects identical to Veterans’ previous petition, which the trial court dismissed for failure to state a claim. Therefore, the trial court did not err by dismissing Veterans’ instant petition for res judicata.

Opinion by: Lisa S. Van Amburg, J.  
Patricia L. Cohen, J., and Gary M. Gaertner, Jr., J., concur.

Attorney for Appellant: John G. Simon  
Attorney for Respondent: Ian Cooper  
Katherine Nash (co-counsel)

**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.**