

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

LEANNA MARIE HOFFMAN-FRANCIS,

APPELLANT,

v.

ALLEN LEROY FRANCIS,

RESPONDENT.

DOCKET NUMBER WD69489

DATE: MARCH 31, 2009

Appeal From:

ANDREW COUNTY CIRCUIT COURT

THE HONORABLE MICHAEL J. ORDNUNG, JUDGE

Appellate Judges:

Division Two: LISA WHITE HARDWICK, Presiding Judge, VICTOR C. HOWARD, Judge, and ZEL FISCHER, Special Judge¹

Attorneys:

Thomas R. Summers, Esq., St. Joseph, Mo, **for appellant.**

Craig D. Ritchie, Esq., St. Joseph, MO, **for respondent.**

¹ The Honorable Zel M. Fischer, of the Supreme Court of Missouri, sitting by special assignment.

**MISSOURI APPELLATE COURT OPINION
SUMMARY**

COURT OF APPEALS -- WESTERN DISTRICT

**LEANNA MARIE HOFFMAN-FRANCIS,
APPELLANT,**

v.

**ALLEN LEROY FRANCIS,
RESPONDENT.**

WD69489

Andrew County

Before Division Two Judges: Lisa White Hardwick, P.J., Victor C. Howard, J. and Zel Fischer, Special Judge.

Leanna Marie Hoffman-Francis (Mother) appeals from a judgment modifying her child support obligation. She contends the circuit court erred by emancipating her son with Allen Leroy Francis (Father) and by ordering the modification of her child support obligation retroactive only to the date she filed her amended motion to modify, rather than to the date her original motion to modify was personally served on Father.

AFFIRMED.

Division Two holds: The circuit court did not err in emancipating the parties' son because the evidence was insufficient to find that he was insolvent and mentally incapacitated. Mother also failed to demonstrate that

the circuit court clearly abused its discretion in determining the effective date of the modification.

Opinion by: Lisa White Hardwick, Judge

March 31, 2009

THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.