

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

DEBRA L. MILLER, IN HER CAPACITY AS SECRETARY OF
TRANSPORTATION FOR THE STATE OF KANSAS,

Respondent,

v.

LESTER M. DEAN, JR., ET AL.,

Appellant.

DOCKET NUMBER WD69733

DATE: April 14, 2009

Appeal From:

Circuit Court of Jackson County, MO
The Honorable Brian Curtis Wimes, Judge

Appellate Judges:

Division Three: James M. Smart, Jr., P.J., Joseph M. Ellis, and James Edward Welsh, JJ.

Attorneys:

Charles H. Stitt, Kansas City, MO

Counsel for Appellant,

Attorneys:

Timothy P. Orrick, Overland Park, KS
Jason B. Prier, Overland Park, KS

Counsel for Respondent,
Co-Counsel for Respondent

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**DEBRA L. MILLER, IN HER CAPACITY AS SECRETARY OF
TRANSPORTATION FOR THE STATE OF KANSAS,
Respondent, v. LESTER M. DEAN, JR., ET AL., Appellant**

WD69733

Jackson County

Before Division Three Judges: Smart, P.J., Ellis, and Welsh, JJ.

Lester M. Dean, Jr., appeals the circuit court's judgment registering a foreign (Kansas) judgment against him. Dean contends that the circuit court erred in registering the Kansas judgment against him because the Kansas court lacked subject matter and personal jurisdiction to enter the original judgment.

AFFIRMED.

Division Three holds:

(1) The Kansas District Court had subject matter jurisdiction over Dean and had the authority to hear this dispute in that it involved an action to recover excess condemnation proceeds.

(2) The Kansas District Court had personal jurisdiction over Dean. Dean, through his attorneys, entered his appearance in the appeal from the award of the appraisers. Dean also asserted an ownership interest in the property, participated in the trial, and was represented by counsel throughout the proceedings.

Opinion by: James Edward Welsh, J.

Date: April 14, 2009

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