

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

JOHN DUTHOY,

Appellant,

v.

**CAMERON DUTHOY, GERALD KANGAS, and FAMILY SUPPORT DIVISION CHILD
SUPPORT ENFORCEMENT,**

Respondents.

DOCKET NUMBER WD74183

Date: June 26, 2012

Appeal from:
Johnson County Circuit Court
The Honorable R. Michael Wagner, Judge

Appellate Judges:
Division Four: Lisa White Hardwick, Chief Judge, Presiding, Cindy L. Martin, Judge, and
Kenneth R. Garrett, Special Judge

Attorneys:
Chad N. Pfister, Warrensburg, MO, for appellant.
Justin D. Mettlen, KCMO, Cameron Duthoy, Pro Se, Gerald Kangas, Pro Se,
Warrensburg, MO, for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY
COURT OF APPEALS -- WESTERN DISTRICT

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Before Division Four: Lisa White Hardwick, Chief Judge, Presiding, Cindy L. Martin, Judge, and Kenneth R. Garrett, Special Judge

John Duthoy appeals the circuit court's grant of summary judgment in favor of the Family Support Division ("Division") on his petition for declaratory judgment. He raises three points on appeal. First, Duthoy contends the circuit court erred in determining that, under Minnesota law, his son was not emancipated until he graduated from high school at age nineteen. Second, he argues the circuit court erred in not vacating any of his alleged child support arrearage because, under the Uniform Interstate Family Support Act ("UIFSA"), the failure to register the Minnesota support order prohibited the Division from attributing any arrearage to him. Third, Duthoy asserts the circuit court improperly modified the Minnesota support order.

AFFIRMED.

Division Four holds:

(1) The circuit court correctly found the minor child was emancipated on the date of his high school graduation, at age nineteen. Pursuant to Minnesota statutes and the Minnesota support order, after the minor child turned eighteen, he continued to be a "child" entitled to support until he turned twenty years old, as long as he was still attending high school.

(2) The circuit court did not err in denying Duthoy's request to vacate the child support arrearage based upon his assertion that the failure to register the Minnesota support order prohibited the Division from enforcing it. Under UIFSA, registration of a foreign support order is not initially necessary to enforce the order in Missouri. Thus, the Division was not required to register the order before notifying Duthoy of its intention to enforce it.

(3) The circuit court did not modify the Minnesota support order. Although the court incorrectly referred to the minor child's maternal grandfather as the "obligee" of the support obligation, the court correctly found that the child support obligation was properly assigned to the State by operation of law pursuant to Section 454.455.1, RSMo Cum. Supp. 2011.

Opinion by: Lisa White Hardwick, Chief Judge

June 26, 2012

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