

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

IN THE INTEREST OF: O.J.B., RESPONDENT; JUVENILE OFFICER,

Respondent

v.

E.B AND T.B.

Appellants

DOCKET NUMBER WD76687

DATE: July 22, 2014

Appeal From:

Circuit Court of Jackson County, MO
The Honorable Justine Elisa Muro, Judge

Appellate Judges:

Division One
Joseph M. Ellis PJ., Karen King Mitchell, Anthony Rex Gabbert, JJ.

Attorneys:

Emily Beth Null, Attorney and Guardian,

Attorneys:

Appellants Acting Pro Se

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

**IN THE INTEREST OF: O.J.B.,
RESPONDENT; JUVENILE OFFICER,
Respondent, v.
E.B. AND T.B., Appellants**

WD76687

Jackson County

Before Division I: Joseph M. Ellis PJ., Karen King Mitchell, Anthony Rex Gabbert, JJ.

E.B. and T.B. (Parents) appeal the circuit court’s judgment denying a “Motion for Dismissal” filed by E.B. (Father) on July 23, 2013. Parents assert that the court erred: (1) in denying the motion to dismiss because the court failed to review or acknowledge evidence that demonstrated the Juvenile Officer and a Juvenile Officer witness knowingly withheld exculpatory evidence, thereby violating their rights to due process; (2) in denying the motion to dismiss because the court refused to hear, review, or acknowledge evidence that the Juvenile Officer and a Juvenile Officer witness coerced a stipulation, thereby violating Parents’ rights to due process; (3) in denying the motion to dismiss because the court failed to review or acknowledge evidence that the Juvenile Officer knowingly used false and misleading information to bias the court, thereby denying Parents the right to a fair trial and procedural due process; (4) in denying the motion because the court refused to hear, review, or acknowledge that the Juvenile Officer lacked standing to bring the case because the evidence used to bring the case was manufactured, fabricated, misrepresented, and engineered to be destructive to Parents, thereby violating their rights to due process.

AFFIRMED

Division One Holds:

(1) The circuit court did not abuse its discretion in denying Father’s motion to dismiss.

All four of Parents’ points on appeal regarding the motion to dismiss relate back to the court’s January 20, 2012 judgment and are unrelated to permanency planning issues determined in the July 29, 2013 judgment from which they appeal. This is an impermissible collateral attack on a final judgment.

Opinion by Anthony Rex Gabbert, Judge

Date: July 22, 2014

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