

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

SHERYL L. MORRIS

RESPONDENT,

v.

**MISSOURI DEPARTMENT OF
HEALTH AND SENIOR SERVICES**

APPELLANT.

DOCKET NUMBER WD77196

DATE: October 14, 2014

Appeal From:

Cole County Circuit Court
The Honorable Patricia S. Joyce, Judge

Appellate Judges:

Division Three: Gary D. Witt, Presiding Judge, Joseph M. Ellis, Judge and Thomas H. Newton,
Judge

Attorneys:

Sheryl Morris, Respondent Pro Se.

Mary A. Long, Jefferson City, MO, for appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

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RESPONDENT,

v.

**MISSOURI DEPARTMENT OF
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APPELLANT.

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Cole County

Before Division Three: Gary D. Witt, Presiding Judge, Joseph M. Ellis, Judge and Thomas H. Newton, Judge

The Missouri Department of Health and Human Services (the "Department") notified Sheryl L. Morris ("Morris") that it intended to place her name on the Employee Disqualification List after an investigation regarding allegations of neglect of a nursing home patient. Morris received a hearing on the matter before an administrative hearing officer. Thereafter, the hearing officer issued a decision affirming the Department's decision to place Morris on the Employee Disqualification List. Morris sought review of this decision in the circuit court, and the circuit court reversed the administrative decision. As the party aggrieved by the circuit court's decision, the Department filed a notice of appeal to this court.

REVERSED AND REMANDED.

Division Three holds:

Because we review the agency's decision and not the circuit court's decision, this court, pursuant to Rule 84.05(e), designated Morris to file the opening brief. Morris, however, failed to file a brief and, therefore, failed to preserve any issue challenging the administrative determination for appellate review. Thus, we reverse the circuit court's judgment and remand with directions to reinstate the decision of the Department.

Opinion by Gary D. Witt, Judge

October 14, 2014

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