MISSOURI COURT OF APPEALS
WESTERN DISTRICT

BRADLEY BEARDEN

APPELLANT,

v.

MISSOURI VALLEY COLLEGE, ET AL.

RESPONDENTS.

DOCKET NUMBER WD82425

DATE: February 18, 2020

Appeal From:

Saline County Circuit Court
The Honorable Dennis A. Rolf, Judge

Appellate Judges:

Special Division: Zel M. Fischer, Special Judge, Presiding, Cynthia L. Martin, Judge and Gary D. Witt, Judge

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Attorneys:

Edward C. Kruse, St. Louis, MO, for appellant.

Gary J. Willnauer, Kansas City, MO, for respondents.

MISSOURI APPELLATE COURT OPINION SUMMARY

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BRADLEY BEARDEN,

APPELLANT,

v.

MISSOURI VALLEY COLLEGE, ET AL.,

RESPONDENTS.

No. WD82425 Saline County

Before Special Division: Zel M. Fischer, Special Judge, Presiding, Cynthia L. Martin, Judge and Gary D. Witt, Judge

Bradley Bearden ("Bearden") appeals from the partial summary judgment of the Circuit Court of Saline County in favor of Missouri Valley College ("MVC") finding that there were no genuine issues of material fact and that MVC did not owe a duty to Bearden under the circumstances as alleged and that MVC did not directly or indirectly cause Bearden's damages.

DISMISSED.

Special Division holds:

Bearden "voluntarily dismisse[d] the above style[d] cause without prejudice pursuant to Rule 67.02 of the Missouri Rules of Civil Procedure." Because Bearden dismissed the entire cause of action rather than specific counts or specific parties, we lack jurisdiction because the partial summary judgment was not a final appealable judgment.

Opinion by: Gary D. Witt, Judge February 18, 2020

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