MISSOURI COURT OF APPEALS
WESTERN DISTRICT

IN THE INTEREST OF: B.O.,

Appellant

v.

JUVENILE OFFICE.

Respondent

DOCKET NUMBER WD82883

DATE: February 25, 2020

Appeal From:

Circuit Court of Daviess County, MO
The Honorable R. Brent Elliott, Judge

Appellate Judges:

Division One
Thomas H. Newton, Presiding Judge, Mark D. Pfeiffer, Judge, Anthony Rex Gabbert, Judge

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Attorneys:

Craig A. Johnston, Columbia, MO,
Counsel for Appellant

Attorneys:

Micha L. Dixon, Gallatin, MO,
Counsel for Respondent

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

IN THE INTEREST OF: B.O., Appellant,
v.
JUVENILE OFFICE, Respondent.

WD82883 **Daviess County**

Before Division One Judges: Thomas H. Newton, Presiding Judge, Mark D. Pfeiffer, Judge, and Anthony Rex Gabbert, Judge

B.O. appeals the circuit court's judgment finding that B.O., pursuant to Section 559.036, RSMo Cum. Supp. 2017, violated his court-ordered probation agreement by failing to maintain satisfactory academic performance and school attendance, and violated Section 569.120, RSMo Cum. Supp. 2017, by, in concert with others, committing three counts of the class B misdemeanor of Property Damage in the Second Degree, if he were an adult. B.O. contends the circuit court 1) erred in committing B.O. to Division of Youth Services without a dispositional hearing, 2) erred in finding B.O. committed property damage in the second degree relating to a vehicle owned by Roni Betchel, and 3) erred in finding B.O. committed property damage in the second degree relating to a vehicle owned by Tina Ableidinger.

AFFIRMED IN PART, REVERSED IN PART, AND REMANDED.

Division One Holds:

(1) The circuit court erred in failing to conduct a dispositional hearing in compliance with Missouri Supreme Court Rules 128.02 and 128.03, and this matter is remanded for a dispositional hearing.

(2) Sufficient evidence supported the court's judgment finding B.O. committed property damage in the second degree relating to a vehicle owned by Roni Betchel.

(3) Sufficient evidence supported the court's judgment finding B.O. committed property damage in the second degree relating to a vehicle owned by Tina Abliedinger.

Opinion by: Anthony Rex Gabbert, Judge Date: February 25, 2020

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