MISSOURI COURT OF APPEALS
WESTERN DISTRICT

COMPLETE TITLE OF CASE:

SHIRLEY BUXTON,

Appellant

v.

BRENDA TODD AND BANK OF KIRKSVILLE.

Respondents

DOCKET NUMBER WD82641

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

DATE: April 21, 2020

Appeal From:

Circuit Court of Randolph County, MO
The Honorable Andrea Ravens Vandeloecht, Judge

Appellate Judges:

Division One
Lisa White Hardwick, P.J., Cynthia L. Martin, and Thomas N. Chapman, JJ.

Attorneys:

Gillis Leonard, Moberly, MO — Counsel for Appellant

Attorneys:

Cassie Carpenter, Moberly, MO — Counsel for Respondent, Todd
Rex Gump, Moberly, MO — Co-Counsel for Respondent, Todd
Jennifer Snider, Platte City, MO — Counsel for Respondent, Bank of Kirksville

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MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

SHIRLEY BUXTON, Appellant,
v.
BRENDA TODD AND BANK OF KIRKSVILLE, Respondents.

WD82641 **Randolph County**

Before Division One Judges: Hardwick, P.J., Martin, and Chapman, JJ.

Shirley Buxton appeals the judgment of the trial court dismissing with prejudice her petition against Brenda Todd and Bank of Kirksville d/b/a Bank of Moberly ("Bank"). She raises two points on appeal. The judgment is reversed, and the case is remanded for further proceedings consistent with this opinion.

Division One holds:

Where the trial court's November 21, 2017 dismissal with prejudice by docket sheet entry did not meet the requirements of Rule 74.01(a), it was not a judgment, Rule 75.01 did not apply, and the trial court retained jurisdiction in the case. The trial court, therefore, erred in entering its February 10, 2019, judgment based solely on its conclusion that it lost jurisdiction thirty days after the November 21, 2017 dismissal with prejudice.

Opinion by: Thomas N. Chapman, Judge Date: April 21, 2020

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