In the Missouri Court of Appeals
Eastern District

DIVISION FOUR

TRACY BOEHLEIN,	)	No. ED108281
	)	
Appellant,	)	Appeal from the Circuit Court of
	)	the County of St. Louis
vs.	)	17SL-CC00766
	)	
TIM CRAWFORD,	)	Honorable Richard M. Stewart
	)	
Respondent.	)	Filed: July 21, 2020

Tracy Boehlein appeals the trial court's two judgments issued on October 25, 2017 and July 24, 2018 dismissing with prejudice Boehlein's claims against Respondent Crawford relating to certain real property the parties previously owned jointly as tenants in common and which had been the subject of a partition action that the parties had settled and dismissed with prejudice.

AFFIRMED.

DIVISION IV HOLDS: We affirm because we agree with the trial court that Boehlein's claims are barred by the doctrine of res judicata because the damages sought by those claims for rent owed, damage to the property, and for breach of fiduciary duty had been merged into the partition action and were fully disposed of by the parties' settlement agreement and joint dismissal with prejudice. Additionally, we find that Boehlein's claims are also barred under Supreme Court Rule 67.01 because she is asserting "the same cause of action or claim" against the same party in the prior suit.

Opinion by: James M. Dowd, P.J.

Gary M. Gaertner, Jr., J., and Robin Ransom, J., concur.

Attorney for Appellant: Michael T. George

Attorneys for Respondent: Trenton K. Bond and Grant J. Mabie

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.