OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DENNIS L. LARAMORE,	)	No. ED108855
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of Washington County
vs.	)	No. 19WA-CC00331
	)	
ZACHARY JACOBSEN,	)	
WILLIAM GLEESON,	)	Honorable Robin E. Fulton
DOUG TUNING,	)	
MIKE GUM, and	)	
ANDY SKILES,	)	Filed: November 17, 2020
	)	
Respondents.	)	

The plaintiff, Dennis Laramore, appeals *pro se* the judgment entered by the Circuit Court of Washington County dismissing his petition for replevin against the defendants, law enforcement officers Zachary Jacobsen, William Gleeson, Andy Skiles, Doug Tuning, and Mike Gum. The circuit court dismissed Laramore's petition because it determined that the three-year statute of limitations set forth in section 516.130(1) RSMo. (2016) applied, and that the limitations period expired before Laramore filed this action.

REVERSED AND REMANDED.

DIVISION THREE HOLDS: The circuit court correctly determined that section 516.130(1) sets forth the applicable statute of limitations. However, the trial court erred in ruling that the three-year statute of limitations began to run on the date that law enforcement officers seized the property at issue. Rather, the statute of limitation begins to run when law enforcement or the court determines that the property is no longer needed as evidence. Because we cannot determine from the face of the petition—or indeed from anything in the record—if or when the court or law enforcement determined that the disputed property was no longer needed as evidence, we reverse and remand.

Opinion by: Angela T. Quigless, P.J.

Kurt S. Odenwald, J. and James M. Dowd, J. , concur.

Attorney for Appellant: Pro Se

Attorney for Respondents: Joshua Hedgecorth, Washington County Prosecuting Attorney

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.