OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

BRENDA LINKOUS,	)	ED109136
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of St. Louis County
v.	)	19SL-CC01124
	)	
KIRKWOOD SCHOOL DISTRICT,	)	Honorable John N. Borbonus
	)	
Respondent.	)	Filed: June 8, 2021

Brenda Linkous (Linkous) appeals from the trial court's grant of summary judgment in favor of Kirkwood School District (KSD) on her claim for negligence.

AFFIRMED

Division 2 holds: The trial court did not err in granting KSD's motion for summary judgment because KSD established that Linkous was its statutory employee pursuant to Section 287.040.1.[1] We decline to recognize an additional requirement that a statutory employer "commission" the work. The uncontroverted facts established a contract for purposes of Section 287.040.1, and the unique statutory arrangement between KSD and SSD did not preclude Linkous' work as a sign language interpreter from falling within KSD's usual business.

Opinion by: Lisa P. Page, J.

Robin Ransom, P.J. and Sherri B. Sullivan, J., concur.

Attorney for Appellant: Brian D. Klar and Jonathon C. Burns

Attorney for Respondent: Rebecca A. Cary and Julia E. Wilke

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.

[1] All statutory references are to RSMo (2016), unless otherwise indicated.