OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

JAMES W. SHANKS, JR.,	)	Nos. ED109185
	)	ED109186 (consolidated into above)
Appellant,	)	
	)	Appeal from the Circuit Court
	)	of St. Charles County
vs.	)	Cause Nos. 1511-FC00125-01
	)	1511-FC00125-02
	)	
MEAGEHN M. SHANKS,	)	Honorable John P. Banas
	)	
Respondent.	)	Filed: July 20, 2021

This appeal arises from the dissolution litigation between Appellant James W. Shanks, Jr. and Respondent Meagehn M. Shanks. Appellant challenges the trial court's decision to set aside two of its prior judgments: (1) a judgment granting a motion to modify child support (Modification Judgment), and (2) a judgment granting a motion for contempt against Respondent (Contempt Judgment). The evidence submitted in support of setting aside these judgments showed that the Modification Judgment included incorrect information regarding Appellant's income at the time the judgment was entered.

AFFIRMED IN PART AND REVERSED IN PART.

Division Two Holds: The decision to set aside a judgment under Rule 74.06(b) is reviewed for an abuse of discretion. The trial court did not abuse its discretion in setting aside the Modification Judgment because that judgment contained incorrect information and Appellant had an obligation under local rules to provide the trial court with updated financial information. The decision to set aside the Contempt Judgment is reversed because that judgment did not depend on Appellant's income or incorrect information about that income.

Opinion by: Thom C. Clark, J. Sherri B. Sullivan, C.J., and Lisa P. Page, J., concur.

Attorney for Appellants:	Anthony M. Pezzani Engelmeyer & Pezzani, LLC
Attorney for Respondent:	Ryan Lee Munro, Kevin Lake and Jerrold Russell Burkhart Lake Munro, LLC

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.