OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

THE CENTRAL TRUST BANK,	)	No. ED109020
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of St. Louis County
vs.	)	19SL-AC14380
	)	
BARBARA BRANCH and	)	Honorable Matthew H. Hearne
ALEXIS BRANCH,	)	
	)	
Respondents.	)	Filed: July 27, 2021

The Central Trust Bank ("Plaintiff") appeals the judgment, entered after a bench trial, in favor of Barbara and Alexis Branch ("Defendants") on Plaintiff's petition seeking a deficiency judgment, with respect to the repossession and sale of Defendants' 2010 Chevrolet Impala that had been financed by Plaintiff. The trial court's judgment essentially found Plaintiff was not entitled to recover a deficiency balance and interest from Defendants because, *inter alia*, Plaintiff failed to properly send Defendants a post-sale notice ("the Post-Sale Notice") as required under Missouri law.

AFFIRMED.

Division One holds: The trial court did not err in finding Plaintiff failed to properly send the Post-Sale Notice to Defendants as required under Missouri law. Moreover, because Plaintiff did not strictly comply with the statutory requirements for properly sending a post-sale notice, Plaintiff is not entitled to a deficiency judgment against Defendants.

Opinion by: Robert M. Clayton III, J.
Colleen Dolan, P.J., and Kelly C. Broniec, J., concur.

Attorney for Appellant:	Christopher M. Hohn, Booker T. Shaw, Brian A. Lamping, George F. Verschelden, J. Nicci Warr
Attorney for Respondent:	Bryan E. Brody, Christopher E. Roberts, David T. Butsch, Alexander J. Cornwell, William H. Henning

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