

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

K.C.,

RESPONDENT

vs.

KENT CHAPLINE,

APPELLANT

DOCKET NUMBER WD83881

DATE: SEPTEMBER 21, 2021

Appeal from:

The Circuit Court of Jackson County, Missouri
The Honorable S. Margene Burnett, Judge

Appellate Judges:

Division Three: Edward R. Ardini, Jr., Presiding Judge, Mark D. Pfeiffer. Judge and W.
Douglas Thomson, Judge

Attorneys:

Crissy L. Del Percio, for Respondent

D. Adam Leatherwood, for Appellant

MISSOURI APPELLATE COURT OPINION SUMMARY

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

K.C., RESPONDENT,

v.

KENT CHAPLINE, APPELLANT.

WD83881

Jackson County

Before Division Three Judges: Edward R. Ardini, Jr., Presiding Judge, Mark D. Pfeiffer, Judge, and W. Douglas Thomson, Judge

Appellant Kent Chapline and Respondent K.C. became romantically involved while working together in Texas. K.C. moved to Florida and Chapline accepted a job in Kansas City, Missouri. Chapline rented an apartment in Kansas City, Missouri where he resided during the week and every other weekend. The remaining weekends he stayed at his home in Texas with his wife and children.

In October 2018, K.C. visited Chapline in Kansas City. During the visit she and Chapline got into an altercation at his apartment. Thereafter, K.C. filed in the Jackson County Circuit Court (“trial court”) a petition for an order of protection, alleging that during the argument Chapline pinned her facedown on the bed, bent her arm behind her back, and refused to let her leave. The trial court held a hearing in January 2019, at which both parties testified. Based on the evidence adduced at the hearing, the trial court entered a Judgment of Full Order of Protection, with an expiration date of January 15, 2020.

In March 2019, Chapline moved out of his apartment in Kansas City and started a new job in Texas, where he resided full time. In December 2019, K.C. filed a motion for renewal of the protective order. In response, Chapline filed a motion to dismiss for lack of personal jurisdiction. The trial court conducted a hearing, at which K.C. and Chapline’s counsel appeared. Prior to hearing evidence, the trial court denied Chapline’s motion to dismiss. K.C. then testified that she was still afraid of Chapline and explained the reasons for her continued fear. Thereafter, the trial court entered a judgment renewing the full order of protection. Chapline appealed.

AFFIRMED.

Division Three holds:

1) This appeal is not moot because the order of protection was renewed and is presently effective. But even if the order had expired, we would review the merits of Chapline’s appeal pursuant to section 455.007, RSMo.

2) The trial court had personal jurisdiction over Chapline to renew the protective order. There is no dispute that the trial court had personal jurisdiction over Chapline to enter the original order. The trial court never “lost” jurisdiction over Chapline relating to the original protective order, and thus retained the authority to renew that order.

3) Renewal of the protective order did not infringe upon Chapline’s right of access to the courts. Although Chapline argues that the renewal will require him to abandon the civil lawsuit he filed in Texas against K.C., he has failed to demonstrate how the renewal violates his constitutional rights.

4) The judgment renewing the full order of protection was supported by substantial evidence, including K.C.’s testimony that Chapline continued to stalk her on social media, knew her whereabouts, called her multiple times and breathed into the phone, and continued to exhibit abusive behavior.

Opinion by: Edward R. Ardini, Jr., Judge

Date: September 21, 2021

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