MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI,

Respondent,

v.

DAVID HALEY,

Appellant.

DOCKET NUMBER WD84093

Date: December 14, 2021

Appeal from:

Cooper County Circuit Court
The Honorable Robert L. Koffman, Judge

Appellate Judges:

Division Three: Lisa White Hardwick, Presiding Judge, Gary D. Witt and Edward R. Ardini, Jr., Judges

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Attorneys:
Clark Jones, Columbia for appellant.
Eric Phelps, Moberly for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI, Respondent,
v.
DAVID HALEY, Appellant.

WD84093 Cooper County

Before Division Three Judges: Lisa White Hardwick, Presiding Judge, Gary D. Witt and Edward R. Ardini, Jr., Judges

David Haley Bail Bonds ("Surety") appeals from the circuit court's denial of its motion for relief from final judgment. Surety contends the circuit court erred in finding that it was not equitably entitled to relief from the court's judgment on a bond forfeiture after the defendant was arrested in Texas.

AFFIRMED.

Division Three holds:

Under Rule 74.06(b)(5), the circuit court is not required to grant relief from a bond forfeiture judgment upon the arrest of an absconding defendant. Considering the substantial duration of the defendant's abscondence and the sparsity of argument reflected on the record, the circuit court did not abuse its discretion in denying to grant relief from the bond forfeiture judgment.

Opinion by: Lisa White Hardwick, Judge December 14, 2021

THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.