MISSOURI COURT OF APPEALS
WESTERN DISTRICT

KANSAS CITY CHROME SHOP, INC.,

Appellant

v.

PATSY G. SMITH, PERSONAL REPRESENTATIVE,

Respondent

DOCKET NUMBER WD84407

DATE: May 3, 2022

Appeal From:

Circuit Court of Jackson County, MO
The Honorable Mark A. Styles, Jr., Judge

Appellate Judges:

Division Three
Anthony Rex Gabbert, Presiding Judge, Lisa White Hardwick, Judge, Thomas N. Chapman, Judge

---

Attorneys:

Shane B. Lillich, Bonner Springs, KS,
Counsel for Appellant

Attorneys:

Robert H. Schnieders, Oak Grove, MO,
Counsel for Respondent

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

KANSAS CITY CHROME SHOP, INC., Appellant,
v.
PATSY G. SMITH, PERSONAL REPRESENTATIVE, Respondent.

WD84407 **Jackson County**

Before Division Three Judges: Anthony Rex Gabbert, Presiding Judge, Lisa White Hardwick, Judge, and Thomas N. Chapman, Judge

Kansas City Chrome Shop, Inc., ("KCCS") appeals the circuit court's Judgment dismissing its July 2, 2019, "Claim Against Estate" which sought from the estate of Charles Smith the sum of $141.412.59 for alleged unpaid loans made to Smith from 1989 through 2017. On appeal, KCCS contends that the circuit court erroneously applied Kansas law in ruling that KCCS had no standing to file its claim, arguing that a Kansas corporation continues to exist as a "living" entity after involuntary administrative forfeiture of its articles of incorporation.

AFFIRMED.

Division Three holds:

The circuit court did not err in concluding that KCCS has no standing to bring its claim against the Estate. The plain language of K.S.A. 17-6807(a) requires a corporation with articles forfeited pursuant to K.S.A. 17-7510 to initiate suits within three years from the date of the forfeiture, and none of the alleged unpaid loans of the decedent for which KCCS claimed a right to repayment in its Claim Against Estate vested in KCCS upon reinstatement of its articles of incorporation under K.S.A. 17-7002(e). KCCS, therefore, has no justiciable interest in the decedent's estate.

Opinion by: Anthony Rex Gabbert, Judge Date: May 3, 2022

* * * * * * * * * * * * * * * * * *

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