

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

LUKE REYNOLDS,	)	No. ED109902
	)	
Plaintiff,	)	
	)	
vs.	)	Appeal from the Circuit Court
	)	of the City of St. Louis
	)	
SAMUEL BERGER, and	)	
TMF HOLDINGS, LLC,	)	Honorable Joan L. Moriarty
	)	
Defendants,	)	
	)	
LEFT HAND PRODUCTIONS, INC.,	)	
	)	
Appellant,	)	
	)	
816 GEYER, LLC,	)	
	)	
Intervenor,	)	
	)	
and	)	
	)	
DRESDEN CAPITAL	)	
MANAGEMENT, LLC,	)	
	)	
Respondent.	)	FILED: July 26, 2022

Left Hand Productions, Inc. appeals from the circuit court’s denial of its motion for leave to file its second amended counterclaims.

APPEAL DISMISSED.

DIVISION FOUR HOLDS: In Missouri, “[t]he right to appeal is purely statutory and, where a statute does not give a right to appeal, no right exists.” *Wilson v. City of St. Louis*, 600 S.W.3d 763, 767 (Mo. banc 2020) (quoting *First Nat’l Bank of Dieterich v. Pointe Royale Prop. Owners’ Ass’n*, 515 S.W.3d 219, 221 (Mo. banc 2017)). For the purposes of section 512.020(5), RSMo (2009), an appealable final judgment is one that satisfies two criteria: it must be (1) a judgment and (2) final. *Wilson*, 600 S.W.3d at 771.

In the instant case, there is no final judgment for purposes of appeal pursuant to section 512.020(5). The appealed-from order did not resolve any pending claims in the underlying cause and was neither a judgment nor final; rather, it was an interlocutory order on a motion for leave to

file amended counterclaims. Accordingly, we lack appellate jurisdiction and must dismiss this appeal. *See Wilson*, 600 S.W.3d at 773.

Opinion by: Michael E. Gardner, C.J.

Lisa P. Page, J., and William L. Syler, S.J., concur.

Attorney for Appellant: Mayer S. Klein

Attorneys for Respondent: R. Thomas Avery and Zachary R. McMichael

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.