OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

PENZEL CONSTRUCTION COMPANY, INC.,	)	No. ED110487
Respondent,	)	Appeal from the Circuit Court of Cape Girardeau County
vs.	)	Honorable Benjamin F. Lewis
JACKSON R-2 SCHOOL DISTRICT,	)	
Appellant.	)	Filed: November 8, 2022

Jackson R-2 School District ("the District") appeals the judgment of the 32nd Judicial Circuit Court denying its motion for an order showing satisfaction of the original judgment obtained by Penzel Construction Company, Inc. ("Respondent").

The District raises three points on appeal. In Point I, the District argues the trial court erred in denying its motion for an order showing satisfaction of the judgment because the money they tendered to Respondent satisfied the plain and unambiguous meaning of the judgment. In Point II, the District argues the trial court erred in denying its motion for an order showing satisfaction of the judgment because the trial court impermissibly altered the judgment by effectively changing the rate of interest due. In Point III, the District argues the trial court erred in denying its motion for an order showing satisfaction of the judgment because neither the judgment nor the Prompt Pay Act provide for compound interest.

REVERSED AND REMANDED.

DIVISION IV HOLDS: Because the trial court erroneously applied the law in interpreting the Prompt Pay Act to provide for compound penalty interest, we grant Point III. Because we grant Point III we grant Point I. Because Points III and I are dispositive, we decline to address Point II. Accordingly, we reverse the trial court's judgment and remand for proceedings consistent with this opinion.

Opinion by: Philip M. Hess, J.
Kelly C. Broniec, P.J. and James M. Dowd, J. concur.

Attorney for Appellant: Jeffrey A. Marriott, Ryan S. VanFleet, Matthew D. Wilson, and Brian J. Mayer

Attorney for Respondent: Michael E. Wilson and Eugene F. Tucker II

Third Party Defendant: Robert T. Plunkert

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