In the
Missouri Court of Appeals
Western District

ANTERIA PRATT,	)	
	)	
Appellant,	)	
	)	
v.	)	
	)	**WD88082**
HARRY S TRUMAN CHILDREN'S NEUROLOGICAL CENTER,	)	**OPINION FILED:**
	)	
Employer,	)	**JANUARY 27, 2026**
	)	
AND	)	
	)	
DIVISION OF EMPLOYMENT SECURITY,	)	
	)	
Respondent.	)	

Appeal From Labor and Industrial Relations

Before Division Four: Anthony Rex Gabbert, Chief Judge, Presiding, Alok Ahuja, Judge, and Edward R. Ardini, Jr., Judge

Anteria Pratt appeals the decision of the Labor and Industrial Relations Commission which affirmed the denial of unemployment benefits. In her sole point on appeal, Pratt claims her employer did not want to give her an extension of time to file Family Medical Leave Act documents. The appeal is dismissed.

Facts

Pratt was employed by Harry S. Truman Children's Neurological Center ("Employer") from August 2022 through September 2024. Pratt was on paid time off from August 14-19, 2024. During this time, Pratt informed Employer that she needed additional time off related to medical issues and requested unpaid leave for about a

month. Employer's policy was that medical leave must be addressed through the Family Medical Leave Act ("FMLA"). On August 20, 2024, Employer emailed Pratt the forms to apply for an FMLA leave of absence. Employer's Human Resources representative also called Pratt on the same day to reiterate the information. Pratt was to return the forms by September 5, 2024. This date was highlighted in the email. If the forms were not returned by that date, the requested leave was not approved.

Pratt did not regularly check her email. She did not provide the forms to Employer by that date. On September 11, 2024, Employer emailed Pratt in the morning to state that Pratt was delinquent in providing the forms. The email stated that Pratt must provide the forms by September 13, 2024. About two hours later, Employer emailed Pratt and stated that the extension was rescinded and that they considered her FMLA request file to be closed. Pratt's first response to Employer was on September 13, 2024 after normal business hours at 6:22pm. She requested an extension until the end of September 2024 to provide the FMLA documentation.

Employer considers Pratt's employment to have ended on September 6, 2024. She was discharged for failing to provide documentation or provide prompt responses to Employer regarding her continued leave from work. Pratt exhausted her paid leave in August 2024. Employer had a policy that missing two or more shifts in a month or three shifts consecutively would be considered job abandonment.

The Labor and Industrial Relations Commission ("the Commission") found that a known standard of conduct expected in the workplace is that an employee maintain

adequate communication with the employer regarding the employee's absence from work. Pratt informed Employer about a medical situation keeping her from work as early as August 20, 2024 but had no further communication with Employer until September 13, 2024. The Commission quoted section 288.030.1(23) which states the bases for finding misconduct, including "[c]onduct or a failure to act demonstrating knowing disregard of the employer's interest or a knowing violation of the standards which the employer expects of his or her employee." The Commission found that Pratt was discharged for misconduct effective September 6, 2024.

This appeal follows.

Analysis

Pratt appears *pro se*. "Although we are mindful of the difficulties that a party appearing *pro se* encounters in complying with the rules of procedure, we must require *pro se* appellants to comply with these rules." *Brown v. Ameristar Casino Kansas City, Inc.*, 211 S.W.3d 145, 146 (Mo. App. W.D. 2007). "We must not grant a *pro se* appellant preferential treatment." *Id*. "Failure to comply with the rules of appellate procedure is a proper ground for dismissing an appeal." *Id*. "This is especially true when, as is the situation in this case, "we cannot competently rule on the merits of his argument without first reconstructing the facts that gave rise to the [circuit] court's finding and then refining and supplementing his points and legal argument." *Id*. at 147. "Compliance with Rule 84.04 briefing requirements is mandatory in order to ensure that appellate courts do not become advocates by speculating on facts and on arguments that have not been made."

Id. (internal quotation marks omitted). "The failure to substantially comply with Rule 84.04 preserves nothing for review." *Id*. (internal quotation marks omitted).

Rule 84.04(c) requires "a fair and concise statement of the facts relevant to the questions presented for determination without argument." "An appellant's failure to provide a fair and concise statement of facts is a sufficient basis to dismiss an appeal." *Brown*, 211 S.W.3d at 147. Pratt's statement of facts recounts her medical and personal struggles. She then states:

> In August of 2024 I requested time off using my PTO time, my PTO tine was approved for August 14th to the 21st I was grieving the loss my loved ones while trying to prepare for my procedure, I also Request to take time off in September of 2024 for my procedure.
>
> In the month of August of 2024, I also reported to [M.E.]/Schedule, that I believe I am experiencing a Burnout!
>
> [M.E.]/Schedule told me that I can apply for FMLA and that I could come pick up the papers.
>
> Appellant failed with time management, due to her unexpected health complications.
>
> Again, I was experiencing a medical Emergency, and I was only trying to request for an extension/for more time.

(Errors in original). This is not a fair and concise statement of the facts relevant to Pratt's appeal.

Rule 84.04(c) requires, "All statements of facts shall have specific page references to the relevant portion of the record on appeal…." Pratt's statement of facts does not contain any citations to the record. "An argument that violates Rule 84.04[] wholly fails to preserve any error for review." *Brown*, 211 S.W.3d at 147 (internal quotation marks omitted).

Rule 84.04(d) requires that an appellant's point relied on: "(A) Identify the trial court ruling or action that the appellant challenges; (B) State concisely the legal reasons for the appellant's claim of reversible error; and (C) Explain in summary fashion why, in the context of the case, those legal reasons support the claim of reversible error." Pratt's point relied on states:

> The LIRC made erred in determining that Appellant Anteria Pratt was discharged for misconduct/Abandonment because her employer did not want to give Appellant Anteria Pratt an extension to file her FMLA Documents.

(Errors in original). Pratt's point relied on does not state the legal reason for her claim of error or explain why the legal reason supports her claim of reversible error. "The requirements of Rule 84.04(d) are mandatory and must be strictly applied." *Brown*, 211 S.W.3d at 147 (internal quotation marks omitted).

Rule 84.04(e) requires the argument section to "include a concise statement describing whether the error was preserved for appellate review; if so, how it was preserved; and the applicable standard of review." Pratt's brief does not contain a preservation statement. Pratt's standard of review states that her procedure was supposed to be quick. Instead, she states that her recovery time took longer than expected, and while she was in recovery she learned that she got fired from her job. Pratt states that being unemployed has caused her stress and depression, that she is in danger of being evicted, and that finding employment has been challenging. This is not the standard of review applicable to our review of the Commission's decision.

Rule 84.04(e) also requires an appellant's brief to contain an argument section that discusses the point relied on. "An argument should show how the principles of law and the facts of the case interact." *Brown*, 211 S.W.3d at 147-48 (internal quotation marks omitted). Pratt's argument section lists her Exhibits. It also lists witnesses and their phone numbers. The argument section then states:

> Appellant was fired for not turning her FMLA forms in on time. Appellant was experiencing a Medical Emergency that caused her delay in her performance. Appellant was under Doctor's order for bed/rest, Due to unexpected health complications.
>
> Furthermore, the provisions of S 288.020 et seq are intended to be construed liberally to accomplish the State's public policy. [citation omitted]. Disqualifying provisions against disallowance of benefits.

(Errors in original). That is the entirety of the argument section. This does not show how the principles of law and the facts of the case interact.

Given Pratt's failure to substantially comply with Rule 84.04, we dismiss her appeal. We do so reluctantly, preferring instead to decide cases on the merits, but we feel compelled to dismiss because Pratt's brief is so deficient that we are not able to conduct a review of her case without becoming an advocate for her. *See id.*

Conclusion

The appeal is dismissed.



Anthony Rex Gabbert, Chief Judge

All concur.