Missouri Court of Appeals
Southern District

In Division

MARCUS DEANGELO JONES,

Appellant,

v.

JOSHUA WAYNE MORTON,

Respondent.

Case Number SD39442

Filed: July 30, 2026

APPEAL FROM THE CIRCUIT COURT OF GREENE COUNTY

Honorable Philip M. Fuhrman, Judge

DISMISSED

Marcus Jones ("Appellant") received a judgment against Joshua Morton ("Respondent") in small claims court. After the judgment was entered, Appellant filed a motion for writ of execution and a renewed motion for writ of execution, both of which the small claims division denied. Appellant now seeks appellate review of the denial of two motions for writ of execution. Because Appellant's brief fails to comply with briefing rules, we dismiss the appeal.

Statement of Facts

Rule 84.04(c)[1] provides that the statement of facts in an appellate brief "shall be a fair and concise statement of the facts relevant to the questions presented for determination without argument." "The primary purpose of the statement of facts is to afford an immediate, accurate, complete[,] and unbiased understanding of the facts of the case. Failure to substantially comply with Rule 84.04(c) preserves nothing for review." ***Hicks v. Northland-Smithville***, 655 S.W.3d 641, 648 (Mo.App. W.D. 2022) (citation modified).

Appellant's statement of facts is incomplete. It contains no description of the underlying claim adjudicated in the small claims division. Without this information, we have no context for evaluating Appellant's arguments on appeal that he was entitled to a writ of execution from the small claims division. The absence of vital contextual information regarding Appellant's claims renders nonsensical his factual assertions of "[a] valid insurance card listing Respondent as the insured owner of a motor vehicle," and "[w]ritten confirmation that the Missouri Department of Revenue (DOR) and local law enforcement could not release vehicle-ownership records[.]"

[1] Rule references are to Missouri Court Rules (2026).

Argument

Appellant's arguments also fail to comply with Rule 84.04. The arguments do not "show how [the] principles of law and the facts of the case interact." *See* ***Jones v. Buck***, 400 S.W.3d 911, 916 (Mo.App. S.D. 2013) (alteration in original) (quoting ***In re Marriage of Weinshenker***, 177 S.W.3d 859, 863 (Mo.App. E.D. 2005)). "An argument that merely cites facts supporting a decision other than the one the trial court made does not comply with the rule." ***Id.*** at 917 (citing ***In re Marriage of Smith***, 283 S.W.3d 271, 275-76 (Mo.App. E.D. 2009)).

"An appellant has an obligation to cite appropriate and available precedent if he expects to prevail, and, if no authority is available to cite, he should explain the reason for the absence of citations." ***Regions Bank v. Davis***, 521 S.W.3d 283, 287 (Mo.App. S.D. 2017) (quoting ***Selberg v. Selberg***, 201 S.W.3d 513, 516 (Mo.App. W.D. 2006)). "If no explanation is given, we may consider the point to be abandoned." ***Rios v. State***, 368 S.W.3d 301, 312 (Mo.App. W.D. 2012) (quoting ***Roberts v. State***, 356 S.W.3d 196, 205 (Mo.App. W.D.2011)). Appellant's argument contains multiple statements of law without citation.

As our purpose is to explain rather than to embarrass, we will not delve into the numerous other deficiencies that preclude our consideration of Appellant's appeal.

Conclusion

Because Appellant provided no factual context or adequate legal arguments to support his claims, the appeal is dismissed.

JACK A. L. GOODMAN, J. – OPINION AUTHOR

JENNIFER R. GROWCOCK, J. – CONCURS

MATTHEW P. HAMNER, J. – CONCURS