

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**  
**DIVISION FOUR**

|                           |   |                                  |
|---------------------------|---|----------------------------------|
| CHARLOTTE BENTON,         | ) | No. ED100309                     |
|                           | ) |                                  |
| Plaintiff/Appellant,      | ) | Appeal from the Circuit Court of |
|                           | ) | St. Charles County               |
| vs.                       | ) |                                  |
|                           | ) |                                  |
| CRACKER BARREL            | ) | Honorable Richard K. Zerr        |
| OLD COUNTRY STORES, INC., | ) |                                  |
|                           | ) |                                  |
| Defendant/Respondent.     | ) | Filed: April 29, 2014            |

In this personal injury action, Charlotte Benton (Plaintiff) appeals the trial court's judgment granting a motion to dismiss in favor of Cracker Barrel Old Country Stores, Inc., (Defendant). On appeal, Plaintiff contends that the trial court erred in dismissing her petition after concluding that her claim was barred by the Illinois statute of limitations, as applied by Missouri's borrowing statute, § 516.190, RSMo.

AFFIRMED.

Division IV Holds: The trial court did not err in granting Defendant's motion to dismiss and dismissing Plaintiff's petition because her personal injury action originated in Illinois, where her injuries were sustained, and therefore, her claim was barred by Illinois' two-year statute of limitations and by § 516.190, RSMo.

Opinion by: Philip M. Hess, J.  
Lisa S. Van Amburg, P. J. and Patricia L. Cohen, J. concur.

Attorney for Appellant: Victor S. Williams

Attorney for Respondents: Joseph R. Swift

|   |
|---|
| <p style="text-align:center"><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.<br/>IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND<br/>SHOULD NOT BE QUOTED OR CITED.</b></p> |
|---|