

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

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| DANELLE M. FRANTZ, |) | No. ED102647 |
| n/k/a DANELLE M. SHIPP, |) | |
| |) | Appeal from the Circuit Court of |
| Appellant, |) | St. Louis County |
| |) | 09SL-DR05188-01 |
| vs. |) | |
| |) | Honorable Thomas J. Frawley |
| DAVID B. FRANTZ, |) | |
| |) | Filed: March 15, 2016 |
| Respondent. |) | |

Danelle M. Shipp (“Mother”) appeals the trial court’s judgment that modified the final decree of divorce (“Final Decree”) between her and her former husband, David B. Frantz (“Father”), and found her in contempt for interfering with Father’s exercise of his visitation rights with their minor son, C.F. (“Child”). In her several points on appeal, Mother claims that the trial court erred (1) by finding her in contempt and ordering her to reimburse Father for certain of his litigation travel expenses, attorney’s fees, and losses on airfare (*Points I, II, and VII*); (2) by awarding Father joint legal and physical custody of Child (*Points III and IV*); (3) by allowing Father’s parents to exercise his physical custody rights in his absence (*Point V*); (4) by ordering that Mother pay 35% of Child’s transportation expenses for his visits with Father (*Point VI*); and (5) by failing to make certain changes to the visitation provisions of the Final Decree as requested in her counter-motion to modify (*Point VIII*).

AFFIRMED IN PART, AND DISMISSED IN PART.

DIVISION THREE HOLDS: Mother’s appeal of the trial court’s contempt judgment is dismissed because as an unexecuted judgment, it is interlocutory and unappealable. The trial court did not err in awarding Father attorney’s fees and litigation travel expenses because Father prevailed on the issue of modification and the court found that Mother acted contumaciously to interfere with Father’s visitation rights. Also, the trial court did not err in awarding Father joint legal custody of Child because Mother’s interference with Father’s visitation rights constituted a substantial change in circumstances as a result of which the best interests of Child required that Father be awarded joint legal custody.

Opinion by: James M. Dowd, J.

Robert M. Clayton III, P.J., and Lawrence E. Mooney, J., concur

Attorneys for Appellant: Jonathan D. Marks

Attorneys for Respondent: Kathleen E. Shaul

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| <p>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.</p> |
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