

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

**DIVISION FOUR**

ARTHUR L. LEBEAU, JR.,	)	No. ED101712
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of Franklin County
vs.	)	13AB-CC00237
	)	
COMMISSIONERS OF FRANKLIN	)	
COUNTY, MISSOURI,	)	Honorable Richard L. Scheibe
	)	
Respondent.	)	Filed: March 17, 2015

Arthur L. Lebeau, Jr. appeals the judgment in favor of the Commissioners of Franklin County, Missouri (“the Commission”) on Lebeau’s petition asserting that two of the Commission’s orders, order No. 2012-329 and order No. 2013-359, are void. The Commission filed a motion to dismiss Lebeau’s appeal as moot which this Court took with the case.<sup>1</sup> In support of its motion to dismiss, the Commission has filed exhibits demonstrating that order No. 2012-329 expired by its own terms on December 31, 2013 and that order No. 2013-359 was repealed by the Commission on August 12, 2014.

APPEAL DISMISSED.

Division Four holds: Because the expiration of order No. 2012-329 and the repeal of order No. 2013-359 occurred prior to the submission of LeBeau’s appeal on March 11, 2015, a decision on appeal regarding the validity of the orders is unnecessary, and it is impossible for our Court to grant effective relief. Accordingly, LeBeau’s appeal is moot. In addition, neither exception to the rule that a moot appeal should be dismissed applies in this case. Therefore, we grant the Commission’s motion to dismiss and dismiss Lebeau’s appeal.

Opinion by: Robert M. Clayton III, J.  
Patricia L. Cohen, P.J. and Roy L. Richter, J., concur.

Attorney for Appellant: Arthur L. LeBeau, Jr.

Attorneys for Respondent: Steven R. White

**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.**

<sup>1</sup> The Commission also filed a motion for sanctions which this Court took with the case. That motion is denied.