

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

MARY JANE FERRY,)	No. ED101714
)	
Plaintiff/Respondent,)	Appeal from the Circuit Court of
)	St. Louis County
vs.)	
)	Honorable Barbara W. Wallace
WILLIAM PATRICK FERRY,)	
)	
Defendant/Appellant.)	Filed: September 22, 2015

William Ferry (Husband) appeals the judgment of the Circuit Court of St. Louis County awarding Mary Jane Ferry (Wife) \$10,000 in a post-divorce equitable suit for the division of undivided marital property. In three points on appeal, Husband claims that the trial court erred by entering judgment for Wife because (1) Husband had no “legal duty” to revise his financial statements after the close of evidence but before entry of the dissolution decree; (2) the property at issue is not marital property subject to division and Wife, in any case, failed to establish fraud; and (3) the doctrine of laches bars Wife’s claim.

REVERSED.

Division II Holds: Husband’s second point is dispositive. No substantial evidence supports a finding that Husband fraudulently concealed the alleged marital property.

Opinion by: Philip M. Hess, P.J.
Gary M. Gaertner, Jr., J. and Angela T. Quigless, J. concur.

Attorney for Appellant: Joseph T. Bante

Attorney for Respondents: Craig G. Kallen

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