

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS—EASTERN DISTRICT**  
**DIVISION ONE**

STATE OF MISSOURI EX REL.,	)	No. ED102033
ATTORNEY GENERAL KOSTER and	)	
THE MISSOURI DEPARTMENT OF	)	
NATURAL RESOURCES,	)	
Respondents,	)	
	)	
vs.	)	Appeal from the Circuit Court
	)	of St. Louis County
WHISPERING OAKS RESIDENTIAL	)	10SL-CC5162
CARE FACILITY, LLC,	)	
CARE FACILITY, LLC,	)	Honorable Michael D. Burton
	)	
Appellant.	)	FILED: October 27, 2015

Whispering Oaks Residential Care Facility, LLC (Whispering Oaks) appeals from the judgment entered following a jury verdict in favor of the State of Missouri (State) on its enforcement action against Whispering Oaks for violations of the Missouri Safe Drinking Water Act, Sections 640.100 to 640.140, RSMo 2000.<sup>1</sup> We dismiss.

DISMISSED.

Division One Holds: Whispering Oaks filed a copy of the transcript from the instruction conference; however, it has failed to include a copy of the trial transcript in the record on appeal. As all of the issues raised on appeal have an evidentiary basis, without a transcript, this court “lack[s] the necessary information to rule with any degree of confidence in the fairness, reasonableness and accuracy of our final conclusion.” Dale v. Dir., Mo. Dept. of Soc. Servs., Family Support & Children’s Div., 285 S.W.3d 770, 772 (Mo. App. S.D. 2009); St. Louis Cnty. v. River Bend Estates Homeowners’ Ass’n, 408 S.W.3d 116, 122 (Mo. banc 2013); Rule 81.12. Accordingly, it is impossible for this court to consider Whispering Oaks’ claims, and we must dismiss the appeal on the grounds that the record is insufficient under Rule 81.12(a) to allow for meaningful appellate review. Dale, 285 S.W.3d at 772.

Opinion by: Mary K. Hoff, J.  
Robert G. Dowd, Jr., P.J., and Roy L. Richter, J., Concur.

Attorneys for Appellant: Randall C. Cahill and Ann M. Konold  
Attorney for Respondent: Timothy A. Blackwell

**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> Unless otherwise indicated, all further statutory references are to RSMo 2000.