

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

D.M.A. by Next Friend,)	No. ED102866
TINA PARSLEY-HUGHES,)	
)	
Appellant,)	
)	
vs.)	Appeal from the Circuit Court of
)	St. Charles County
MICHAEL HUNGERFORD,)	
)	
Defendant,)	
)	Honorable Jon A. Cunningham
and)	
)	
MISSOURI UNITED SCHOOL)	
INSURANCE COUNCIL,)	Filed: February 23, 2016
)	
Respondent.)	

D.M.A. (Plaintiff) appeals the Circuit Court of St. Charles County’s order and judgment granting the Missouri United School Insurance Counsel’s (MUSIC) motion for summary judgment and denying Plaintiff’s motion for summary judgment. In a single point on appeal, Plaintiff argues that the trial court erred in granting MUSIC’s motion for summary judgment because, contrary to the trial court’s interpretation, the policy covered sexual misconduct.

AFFIRMED.

Division Two Holds: The language of the policy is unambiguous and the policy must be enforced as written. Because sexual molestation is an intentional act, it was not an “Occurrence” under the terms of the policy. Furthermore, sexual molestation was explicitly excluded from the coverage. Therefore, the trial court did not err in granting MUSIC’s motion for summary judgment.

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

Attorney for Appellant: Matthew B. Heath

Attorney for Respondent: Daniel E. Sakaguchi
Jonathan R. Shulan, Co-counsel
Laurence R. Tucker, Co-counsel

Attorney for Defendant: Steven B. Garner

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.
--