

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

WILMA PENNINGTON-THURMAN,)	No. ED103032
)	
Plaintiff/Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	
)	
BANK OF AMERICA, N.A., et al.,)	Honorable David L. Dowd
)	
Defendants/Respondents.)	Filed: February 2, 2016

Wilma Pennington-Thurman (“Appellant”) appeals *pro se* from the judgments of the trial court, dismissing with prejudice Appellant’s petition against Bank of America, N.A. (“BOA”), Bryan Cave, L.L.P., and Millsap & Singer, P.C. (“Millsap”) for failure to state a claim. Appellant’s claims against Respondents arise out of the foreclosure of Appellant’s home. Appellant also filed a motion to reopen her prior cases against BOA (the “Motion to Reopen”), arising out of a prior foreclosure of the same home. These prior cases were dismissed with prejudice in 2010. The trial court did not expressly rule on the Motion to Reopen. Appellant asserts three points of trial court error on appeal. In response, Millsap has filed a motion to strike Appellant’s brief and to dismiss the appeal, which is taken with the case.

AFFIRMED IN PART AND DISMISSED IN PART.

Division Two Holds: In Point I, Appellant asserts the trial court erred in dismissing her petition without reopening her prior cases against BOA. We find the trial court did not err in dismissing her petition without reopening her prior cases against BOA. Appellant’s claims in the Motion to Reopen are time-barred pursuant to Supreme Court Rule 74.06(c). Point I is denied. In Point II, Appellant asserts the trial court erred in allowing BOA and Millsap to foreclose on her home. In Point III, Appellant asserts the trial court erred in dismissing her petition without requiring BOA and Millsap to produce any documents to establish that they were entitled to enforce the deed of trust. We dismiss Points II and III because Appellant fails to comply with the briefing requirements of Supreme Court Rule 84.04(e). Millsap’s motion on appeal is dismissed as moot because of our disposition of the appeal.

Opinion by: Angela T. Quigless, J.

Philip M. Hess, P.J. and Gary M. Gaertner, Jr., J.,

Attorneys for Appellant: Wilma Pennington-Thurman, *pro se*

Attorneys for Respondents: Rhiana A. Luaders, Brian C. Walsh, Anne M. Zimmermann

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.