



In the Missouri Court of Appeals Eastern District

DIVISION FIVE

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| MELISSA ANN YOUNG, |) | No. ED90723 |
| |) | |
| Respondent, |) | Appeal from the Circuit Court of |
| |) | the County of St. Charles |
| v. |) | Cause No. 0611-FC02638-01 |
| |) | Honorable Norman Steimel |
| NICHOLAS CHRISTOPHER YOUNG, |) | |
| |) | |
| Appellant. |) | Filed: November 25, 2008 |

OPINION SUMMARY

Nicholas Young ("Husband") appeals the judgment of the trial court after the trial court awarded Melissa Young ("Wife") damages and relieved her of her obligations under a Consent Judgment.

REVERSED IN PART.

Division Five Holds: The trial court misapplied the law in its award for Wife as Rule 74.06 makes no allowance for a court to modify an order of separation of marital property as the trial court did here. The trial court was thus without jurisdiction to award Wife damages and relieve her of her obligations under the Consent Judgment.

Opinion by: Kenneth M. Romines, J. Nannette A. Baker, C.J. and George W. Draper III, J., concur.