



**In the Missouri Court of Appeals
Eastern District
DIVISION ONE**

THOMAS SMALLEY,)	No. ED91861
)	
Respondent,)	Appeal from the Labor and
)	Industrial Relations
vs.)	Commission
)	07-15590 R-A
LANDMARK ERECTORS,)	
)	
and)	
)	
AMERICAN FAMILY MUTUAL)	
INSURANCE COMPANY,)	
)	
Appellants.)	Filed: April 28, 2009

OPINION SUMMARY

Landmark Erectors ("Employer") appeals from the "temporary or partial award" of the Labor and Industrial Relations Commission holding Employer liable for Thomas Smalley's ("Claimant") workers' compensation claim. Claimant filed a motion to dismiss Employer's appeal, which this Court took with the case.

APPEAL DISMISSED.

Division One holds: Because this Court lacks jurisdiction to review appeals from temporary or partial awards of the Commission, Employer's appeal must be dismissed.

Opinion by: Glenn A. Norton, Judge Kurt S. Odenwald, P.J., & Patricia L. Cohen, J., concur

Attorney for Respondent: John J. Larsen, Jr.
Attorney for Appellant: Stephen A. McManus

**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.**