

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT
DIVISION TWO

S & P PROPERTIES, INC.,)	No. ED92090
)	
Respondent,)	
)	Appeal from the Circuit Court of
)	St. Louis County
)	
vs.)	Cause No. 2107AC-30711
)	
BONNIE K. BANNISTER,)	Honorable Patrick Clifford
)	
Appellant.)	Filed: July 14, 2009
)	

Bonnie Bannister (hereinafter, “Bannister”) appeals the trial court’s judgment granting S & P Properties, Inc.’s (hereinafter, “S & P Properties”) motion for summary judgment on its unlawful detainer action. Bannister raises three points on appeal. The first two points address whether this Court has jurisdiction to hear Bannister’s appeal. The third point alleges the trial court erred in granting S & P Properties’ motion for summary judgment in that genuine issues of material fact exist that call into question whether Bannister was in wrongful possession of the property at issue.

DISMISSED.

Division II Holds: The trial court erred when it certified its partial judgment final for purposes of appeal pursuant to Rule 74.01(b) in that disposing of the issue of possession alone in an unlawful detainer action did not dispose of one distinct judicial unit. Thus, this Court lacks jurisdiction to hear this appeal. The motions filed by both parties to dismiss this appeal, which were taken with the case, are granted.

Opinion by: George W. Draper III, J.

Roy L. Richter, P.J., and
Lawrence E. Mooney, J.,
concur

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