

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FIVE

|                                 |   |                                  |
|---------------------------------|---|----------------------------------|
| SOHRAB DEVITRE,                 | ) | No. ED92544                      |
|                                 | ) |                                  |
| Plaintiff/Appellant,            | ) | Appeal from the Circuit Court of |
|                                 | ) | St. Louis County                 |
| vs.                             | ) |                                  |
|                                 | ) |                                  |
| THE ORTHOPEDIC CENTER           | ) | Honorable Barbara W. Wallace     |
| OF ST. LOUIS, LLC, and MITCHELL | ) |                                  |
| B. ROTMAN, M.D.,                | ) |                                  |
|                                 | ) |                                  |
| Defendants/Respondents.         | ) | FILED: May 5, 2009               |
|                                 | ) |                                  |

Plaintiff Sohrab Devitre appeals from an order granting the motion to dismiss filed by The Orthopedic Center of St. Louis and Mitchell B. Rotman and dismissing Plaintiff's cause without prejudice.

APPEAL DISMISSED.

Division Five holds: Because the order is not denominated a judgment or decree as required by Rule 74.01(a), we dismiss the appeal for lack of jurisdiction.

Opinion by: Nannette A. Baker, C.J. Patricia L. Cohen, J. and Kenneth M. Romines, J., concur.

Attorney for Appellant: James S. Collins, II

Attorney for Respondent: David I. Hares

**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.**