

**OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT
DIVISION FOUR**

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|----------------|---|----------------------------------|
| KAYLIN BOLT, |) | No. ED93121 |
| |) | |
| Appellant, |) | Appeal from the Circuit Court of |
| |) | St. Charles County |
| vs. |) | |
| |) | Honorable Gary G. Wallace |
| |) | |
| GENE GIORDANO, |) | Cause No. 0911-CV01534 |
| |) | |
| Respondent, |) | |
| |) | |
| & |) | |
| |) | |
| JOHN SHELTER, |) | |
| |) | |
| Defendant. |) | Filed: April 20, 2010 |
| |) | |

Kaylin Bolt (hereinafter, “Bolt”) appeals *pro se* from the trial court’s judgment in favor of Gene Giordano (hereinafter, “Dealer”) on her petition seeking relief from a vehicle sales contract. Bolt raises three points on appeal alleging several statutory violations she claims render the sales contract void and entitles her to damages.

AFFIRMED IN PART, AND REVERSED AND REMANDED IN PART.

Division IV Holds: (1) The trial court properly denied Bolt’s claim for damages pursuant to Section 643.315.4(3) RSMo (Cum. Supp. 2008) in that Bolt’s petition failed to state a cause of action because that statute was inapplicable to the transaction; (2) The trial court erred in denying Bolt’s claim pursuant to Section 301.210.4 RSMo (2000) because Dealer failed to contemporaneously transfer a certificate of ownership at the time of the sale, rendering the transaction void and fraudulent; (3) Bolt failed to state a claim for damages for unlawful practices pursuant to the Missouri Merchandising Practices Act, Section 407.020.1 RSMo (Cum. Supp. 2008).

Opinion by: George W. Draper III, J.

Kurt S. Odenwald, P.J., and
Gary M. Gaertner, Jr., J.
concur

Attorneys for Appellant: Kaylin Bolt
Attorney for Respondent: Thomas A. Spoon
Michelle M. Funkenbusch

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND
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