

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

BUREAUS INVESTMENT GROUP,)	No. ED93491
Respondent,)	Appeal from the Circuit Court of
v.)	the City of St. Louis
KEITH WILLIAMS,)	Hon. Theresa Counts Burke
Appellant.)	Filed: May 11, 2010

OPINION SUMMARY

Keith Williams (“Williams”) appeals the City of St. Louis Circuit Court’s denial of his motion to set aside the trial court’s October 16, 2003 judgment (“October 16, 2003 Judgment”) in favor of Bureaus Investment Group as Assignee of First USA (“Bureaus Investment Group”).

Williams raises three points on appeal. In his first point, Williams claims that the October 16, 2003 Judgment was void because it was an invalid attempt to retain jurisdiction more than thirty days after final judgment and an improper use of nunc pro tunc rules to increase the amount of the judgment by adding more interest and an award of attorney’s fees. Second, Williams claims that the trial court erred when it denied his motion to quash the execution of the garnishments because the garnishments issued were based upon the void October 16, 2003 Judgment. Third, Williams claims that the trial court erred when it denied his motion because the garnishments issued were not supported by the judgment in that they contained calculations and assessments of interest that were inconsistent with the judgment and “otherwise unlawful.”

JUDGMENT REVERSED AND REMANDED.

DIVISION ONE HOLDS: The trial court was without authority to enter the October 16, 2003 Judgment, therefore, the judgment is vacated. This court has jurisdiction on appeal only to reinstate the trial court’s April 17, 2003 judgment and remand to the trial court to quash all garnishments that were issued in execution of the October 16, 2003 Judgment.

Opinion by: Nannette A. Baker, J.

Kathianne Knaup Crane, P.J. and Clifford H. Ahrens, J., concur.

Attorney for Appellant: Martin Perron

Attorneys for Respondent: Gary Underwood Jeanine Armstrong

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