

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

RICHARD HOLLORAN, Respondent,)	No. ED93799
)	
vs.)	
)	Appeal from the Circuit Court of
ST. LOUIS INVESTIGATIONS AGENCY)	the City of St. Louis
INC. and KENNETH NOWLING, Appellants,)	
)	
and)	Honorable Angela Turner Quigless
)	
DENNIS WARD and DENNIS GRUBBS,)	
Defendants.)	Filed: April 20, 2010

OPINION SUMMARY

St. Louis Investigation Agency, Inc. and Kenneth Nowling (collectively Defendants) appeal from the judgment of the Circuit Court of the City of St. Louis denying Defendants’ Rule 74.06 motion to set aside a default judgment entered in favor of Richard Holloran (Plaintiff). On appeal, Defendants contend that because the underlying default judgment was void for lack of personal jurisdiction, the trial court erred in failing to set it aside.

REVERSED and REMANDED.

Division Two Holds: The trial court erroneously denied Defendants’ motion to set aside the default judgment on the grounds that it was without authority to set aside a default judgment for any reason more than one year after entry because the trial court has the authority to set aside a void judgment at any time.

Opinion by: Patricia L. Cohen, J. Sherri B. Sullivan, P.J., and Robert G. Dowd, Jr., concur.

Attorneys for Appellant: Michael P. Shea and Joseph Kuhl

Attorney for Respondent: Mitchell D. Johnson

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.