

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

ALICE VAUGHN, Respondent,)	No. ED94196
)	Appeal from the Circuit Court of
v.)	Monroe County
)	
MISSOURI DEPARTMENT OF SOCIAL)	Hon. Robert Morrison Clayton II
SERVICES, FAMILY SUPPORT)	
DIVISION, Appellant.)	FILED: August 31, 2010

OPINION SUMMARY

The Missouri Department of Social Services, Family Support Division (“the Division”) appeals from the judgment of the Circuit Court of Monroe County reversing the denial of benefits to Alice Vaughn (“Vaughn”) by the Director of the Division (“the Director”). As the party aggrieved by the Director’s decision, Vaughn filed the appellant’s brief claiming that the Director erred in denying her application for benefits. Mo. Sup. Ct. R. 84.05(e) (2010). In her sole point on appeal, Vaughn contends the Director erroneously characterized Vaughn’s farmland as a resource in determining her eligibility for benefits.

JUDGMENT AFFIRMED.

DIVISION FOUR HOLDS: The Director erroneously included Vaughn’s farmland in determining her eligibility for MO HealthNet benefits because Vaughn’s use of the farmland was sufficient to satisfy the exemption contained in 13 C.S.R. § 40-2.030(8)(B).¹

Opinion by: Nannette A. Baker, J.
Kurt S. Odenwald, P.J., and Robert G. Dowd, Jr., J., concur.

Attorney for Appellant: Laura E. Elsbury

Attorney for Respondent: Christopher B. Barton

**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**

¹ All regulatory references are to the Missouri Code of State Regulations (2007), unless otherwise indicated.