

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

STEPHANIE WHIPPLE, Appellant,)	No. ED94495
)	Appeal from the Circuit Court of
v.)	Franklin County
)	Hon. David Bernard Tobben
KEN ALLEN AND FRANKLIN QUICK)	
CASH, LLC, Respondents.)	FILED: October 19, 2010

OPINION SUMMARY

Stephanie Whipple (“Whipple”) appeals from the judgment of the Circuit Court of Franklin County granting Ken Allen’s (“Allen”) motion to dismiss Whipple’s Petition (“Petition”) for failure to state a claim upon which relief may be granted. On appeal, Whipple claims the trial court erred in granting Allen’s motion to dismiss because the Petition properly states claims for conversion and negligence against Allen. We affirm in part and reverse and remand in part.

AFFIRMED IN PART AND REVERSED AND REMANDED IN PART

DIVISION FOUR HOLDS: (1) The Petition states a claim for two counts of conversion against Allen; and (2) The Petition does not state a claim for negligence against Allen.

Opinion by: Nannette A. Baker, J.

Kurt S. Odenwald, P.J., and Robert G. Dowd, Jr., J., concur.

Attorney for Appellant: Frank Carlson Sarah Tupper

Attorney for Respondent: Frederick Schwetye John Reynolds

<p>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</p>
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