

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

CHRISTOPHER KAVANAUGH,)	No. ED96974
Respondent,)	
)	Appeal from the Circuit Court
vs.)	of the City of St. Louis
)	
SHARI EALY, Appellant.)	Filed: April 17, 2012

Shari Ealy (“Ealy”) appeals from the judgment of the trial court awarding Christopher Kavanaugh (“Kavanaugh”) \$13,200 in past rent and \$250 in property damages. Ealy argues the trial court erred in: (1) prohibiting Ealy from raising title to the property as a defense; (2) allowing Kavanaugh to bring this lawsuit because he was not a proper party; and (3) awarding damages to Kavanaugh for damage to the property.

AFFIRMED AS MODIFIED.

Division Three holds: The trial court did not err in prohibiting Ealy from raising title to the property as a defense. The trial court did not err in allowing Kavanaugh to bring this lawsuit in his individual capacity. The trial court erred in awarding damages to Kavanaugh for damage to the property. Therefore, we modify the trial court’s judgment by removing the award of \$250 for damages to the front door.

Opinion by: Robert G. Dowd, Jr., P.J.
Mary K. Hoff, J. and Sherri B. Sullivan, J., concur.

Attorneys for Appellant: Sarah K. Molina, Thomas L. Azar, Jr. and Felicia R. Williams

Attorney for Respondent: C. Clifford Schwartz

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IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND
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