

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

WRIT DIVISION I

STATE OF MISSOURI, ex rel.)	
GREGG and KATHERINE LEMLEY,)	No. ED99612
TIMOTHY and MARTHA FARRELL,)	
MARK and CORINNE STOCK,)	
LEE and JACLYN ORI, and)	
WILLIAM AND BONNIE CHOI,)	
)	Cause No. 10SL-CC02152
Relators,)	
vs.)	
)	
THE HONORABLE GLORIA C. RENO,)	Writ of Prohibition
)	
Respondent.)	Filed: March 26, 2013

Gregg and Katherine Lemley, Timothy and Martha Farrell, Mark and Corinne Stock, Lee and Jaclyn Ori, and William and Bonnie Choi (hereinafter collectively “Relators”) petitioned this Court for a writ of prohibition, requesting the Honorable Gloria Reno (“Respondent”) be restrained from ordering the release of Relators’ *lis pendens* on certain real property, which was the subject of an underlying suit to enforce covenants and restrictions governing architectural requirements of the same property. Respondent ordered Relators to remove their *lis pendens* after granting summary judgment against Relators on the underlying action. Relators petitioned this Court for a writ of prohibition preventing the trial court from making final that part of its order requiring Relators to remove their *lis pendens*.

GRANTED.

Writ Division I holds: A plaintiff bringing an action purporting to affect a legal interest in real property has an absolute right to retain a recorded *lis pendens* during the pendency of appellate review. Relators are entitled to retain their *lis pendens* during their appeal. Our preliminary order of prohibition is made absolute.

Opinion by: Kurt S. Odenwald, P.J., Mary K. Hoff, J., and Lisa S. Van Amburg, J., Concur.

Attorney for Relators: Christopher Blaesing, Mark Leadlove, and Daniel O’Keefe

Attorney for Respondent: H. Kent Munson and Richard Kendrick Mersman III

<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>
