

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

In the Estate of: JAMES T. SPENCER,) No. ED99805
Incapacitated/Disabled Person,)
) Appeal from the Circuit Court
) of the City of St. Louis
)
)
) Honorable Philip D. Heagney
)
) Filed: December 24, 2013

John T. Spencer (Appellant) appeals from the judgment of the Probate Division of the Circuit Court dismissing with prejudice Appellant’s motion to declare invalid an amendment to a trust and a settlement agreement between certain beneficiaries and a trustee under multiple trust documents for lack of standing.

REVERSED AND REMANDED.

Division Two Holds: The circuit court erred in dismissing Appellant’s motion for lack of standing because Appellant is a future contingent beneficiary under the trusts and, thus, has an interest in the subject of the lawsuit.

Opinion by: Sherri B. Sullivan, J. Lawrence E. Mooney, P.J., and Robert G. Dowd, Jr., J., concur.

Attorneys for Appellant: Mark S. Packer and Michael Thomas George
Attorneys for Respondent: Guy N. Brandt, John Grellner and A. Melissa Black Riddle

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.