

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

INTER CITY FIRE PROTECTION DISTRICT,

APPELLANT,

v.

DANNY DEPUNG,

RESPONDENT.

DOCKET NUMBER WD69822

DATE: April 7, 2009

Appeal From:

JACKSON COUNTY CIRCUIT COURT

THE HONORABLE JACK RICHARD GRATE JR, JUDGE

Appellate Judges:

DIVISION ONE: ALOK AHUJA, Presiding Judge, HAROLD L. LOWENSTEIN,
Judge and THOMAS H. NEWTON, Chief Judge

Attorneys:

William P. Cronan, II, Esq., Rocheport, MO, **for appellant.**

Danny DePung, Respondent Pro Se, **for respondent.**

**MISSOURI APPELLATE COURT OPINION
SUMMARY**

COURT OF APPEALS -- WESTERN DISTRICT

INTER CITY FIRE PROTECTION DISTRICT,

APPELLANT,

v.

DANNY DEPUNG,

RESPONDENT.

WD69822

Jackson County

Affirmed/Denied:

Judgment is reversed and remanded.

Opinion Holds:

The judgment of the trial court dismissing , for lack of jurisdiction, a petition brought by a fire protection district pursuant to Section 321.190, RSMo (2000), seeking to remove a director of the district is reversed. The statutory language of Section 321.190 confers the authority on the board of directors of a fire protection district to file a petition seeking removal of one of its directors and confers jurisdiction on the circuit court to entertain that petition, and, for good cause shown, remove the director.

Before: Division One Judges: Alok Ahuja, Presiding Judge, Harold L. Lowenstein, Judge and Thomas H. Newton, Chief Judge.

Opinion by: Harold L. Lowenstein, Judge

April 7, 2009

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