

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

C.H.

**v.
William Wolfe**

RESPONDENT,

APPELLANT.

DOCKET NUMBER WD70695

DATE: December 15, 2009

Appeal From:

Platte County Circuit Court
The Honorable James W. Van Amburg, Judge

Appellate Judges:

Division Three: Mark Pfeiffer, Presiding Judge, Karen King Mitchell and Cynthia L. Martin,
Judges

Attorneys:

Victor B. Peters, Kansas City, MO, for appellant.

Christopher Hittner, Pro Se, for respondent

MISSOURI APPELLATE COURT OPINION SUMMARY

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

C.H.,

RESPONDENT,

v.

William Wolfe,

APPELLANT.

No. WD70695

Platte County

Before Division Three Judges: Mark Pfeiffer, Presiding Judge, Karen King Mitchell and Cynthia L. Martin, Judges

William Wolfe appeals from the trial court's judgment granting a full order of protection, following the filing of a petition for protection by C.H, pursuant to the Adult Abuse Act, sections 455.010 through 455.085, RSMo 2000. Wolfe claims the judgment is not supported by substantial evidence.

REVERSED AND REMANDED.

Division Three holds:

C.H. failed to meet his burden to establish by a preponderance of the evidence that Wolfe's course of conduct, however inconvenient or irritating to C.H., caused him to fear the danger of physical harm at all, let alone reasonably. There is no substantial evidence to support a conclusion that C.H. was alarmed by Wolfe's conduct as required by section 455.010(10) and as defined by section 455.010(10)(c).

Opinion by: Cynthia L. Martin, Judge

December 15, 2009

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