

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

IN THE MATTER OF THE ESTATE OF M. STANLEY GINN, DECEASED, CARRIE
ALMOND, CALLIE ALMOND, CARL ALMOND, AND CHRISTOPHER ALMOND,

Respondents

v.

NANCY ALMOND, PERSONAL REPRESENTATIVE AND INDIVIDUALLY.

Appellant

DOCKET NUMBER WD71554

DATE: November 9, 2010

Appeal From:

Circuit Court of Chariton County, MO
The Honorable Michael Lyons Midyett, Judge

Appellate Judges:

Division Two
James Edward Welsh, P.J., Mark D. Pfeiffer, and Karen King Mitchell, JJ.

Attorneys:

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Co-Counsel for Appellant

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Co-Counsel for Respondents

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**IN THE MATTER OF THE ESTATE OF M. STANLEY GINN,
DECEASED, CARRIE ALMOND, CALLIE ALMOND, CARL ALMOND,
AND CHRISTOPHER ALMOND, Respondents, v. NANCY ALMOND,
PERSONAL REPRESENTATIVE AND INDIVIDUALLY, Appellant**

WD71554

Chariton County

Before Division Two Judges: James Edward Welsh, P.J., Mark D. Pfeiffer, and Karen King Mitchell, JJ.

Nancy Almond, daughter of M. Stanley Ginn and personal representative of Ginn's estate, filed an amended six-count petition for will construction, asking in one of the counts that the circuit court determine the testator's intent regarding who should pay the estate taxes. Ginn's grandchildren filed an answer in response to the petition and filed a motion for judgment on the pleadings. The circuit court granted the grandchildren's motion for judgment on the pleadings and found that Ginn's intent was that the estate taxes were not to be equitably apportioned but were to be paid from the residuary estate. Nancy Almond appeals.

DISMISSED.

Division Two holds:

Because the circuit court's order in this case does not fall within one of the enumerated subsections of section 472.160 and does not fully determine all the issues in the will construction action, we lack the jurisdiction to address the merits of Nancy Almond's appeal and must dismiss the appeal.

Opinion by: James Edward Welsh, Judge

November 9, 2010

THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.