

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

T.C.T.,

Respondent,

v.

KEVIN SHAFINIA,

Appellant.

DOCKET NUMBER WD72336

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: September 20, 2011

APPEAL FROM

The Circuit Court of Platte County, Missouri
The Honorable Daniel M. Czamanske, Judge

JUDGES

Division One: Howard, P.J., and Ahuja and Mitchell, JJ.

CONCURRING.

ATTORNEYS

T.C.T.
Kansas City, MO

Respondent, *pro se*,

Kevin Shafinia
Kansas City, MO

Appellant, *pro se*.



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

T.C.T.,)
)
) **Respondent,**)
) **OPINION FILED:**
v.) **September 20, 2011**
)
KEVIN SHAFINIA,)
)
) **Appellant.**)

WD72336

Platte County

Before Division One Judges: Victor C. Howard, Presiding Judge, and
Alok Ahuja and Karen King Mitchell, Judges

This is a protection order case. The dispositive issue is whether this case is moot, given that the protection order has expired. We hold that it is moot and therefore dismiss the case.

APPEAL DISMISSED.

Division One holds:

When a full order of protection has expired, any appeal of that order is moot, because there is no practical effect in vacating an order that has expired. *K.D. v. Alosi*, 292 S.W.3d 616, 616 (Mo. App. W.D. 2009); *Stiers v. Bernicky*, 174 S.W.3d 551, 553 (Mo. App. W.D. 2005).

Here, the order of protection has expired, Appellant Kevin Shafinia challenges only the sufficiency of the evidence, and he “does not argue that the order’s mere existence subjects him to significant collateral consequences that might justify us in exercising our discretion to consider his claims.” *Cf. id.*; § 455.007(2), 2011 Mo. Legis. Serv 523 (West). Under these circumstances, his appeal is moot, and the public interest exception is not implicated. Accordingly, we dismiss the appeal.

Opinion by: Karen King Mitchell, Judge

September 20, 2011

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