

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI,  
RESPONDENT**

**vs.**

**MICHAEL R THOMAS BAIL BOND COMPANY,  
APPELLANT**

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DOCKET NUMBER WD74305

DATE: SEPTEMBER 17, 2013

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Appeal from:

The Circuit Court of Saline County, Missouri  
The Honorable James Tuthill Bellamy, Judge

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Appellate Judges:

Division One: Victor C. Howard, P.J., Joseph M. Ellis and Anthony Rex Gabbert, JJ.

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Attorneys:

Donald G. Stouffer, for Respondent

Michael R Thomas, Appellant Pro-se

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI, RESPONDENT**

**v.**

**MICHAEL R THOMAS BAIL BOND COMPANY, APPELLANT**

WD74305

Saline County, Missouri

Before Division One Judges: Victor C. Howard, Joseph M. Ellis and Anthony Rex Gabbert, JJ.

Michael R. Thomas Bail Bond Co. ("Appellant") appeals from the Circuit Court of Saline County's denial of its motion to set aside the court's judgment of bond forfeiture related to the criminal case of Jeron M. Love. After Love failed to appear in court on a misdemeanor charge, the court ordered forfeited the \$1,000 bond posted on Love's behalf by Appellant. Subsequently, the State filed a motion for final judgment of bond forfeiture, which was granted by the court. Subsequently, Love appeared before the circuit court with counsel, and the warrant for his failure to appear was set aside. Appellant filed a motion to set aside the judgment of bond forfeiture, which was denied by the court.

**AFFIRMED.**

**Division One holds:**

(1) The circuit court properly complied with § 374.763 when it sent notice of an unsatisfied judgment of bond forfeiture to the Missouri Department of Insurance and to Appellant. The option to extend the judgment date provided for in § 374.763 was left to the court's discretion and, even if granted, would merely have allowed the surety additional time to remit its obligation without notification to the Department of Insurance and would not have erased the final judgment or obligations owed thereon.

(2) Rule 74.06 does not require reversal of the forfeiture judgment on equitable grounds.

Opinion by Joseph M. Ellis, Judge

Date: September 17, 2013

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