

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

MEGAN M. LEE,

Respondent

v.

SHANE D. LEE.

Appellant

DOCKET NUMBER WD77256

DATE: NOVEMBER 25, 2014

Appeal From:

Circuit Court of Clay County, MO
The Honorable David Paul Chamberlain, Judge

Appellate Judges:

Division One
Thomas H. Newton, P.J., Lisa White Hardwick, Anthony Rex Gabbert, JJ.

Attorneys:

Thomas C. McGiffin, Liberty, MO, Counsel for Respondent

Attorneys:

Shannon Kathleen Spence, Kansas City, MO Counsel for Appellant

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

MEGAN M. LEE,
Respondent,

v.

SHANE D. LEE,
Appellant

WD77256

Clay County

Before Division One Judges: Thomas H. Newton, P.J., Lisa White Hardwick, Anthony Rex Gabbert, JJ.

Shane D. Lee (“Husband”) appeals the circuit court’s judgment denying his motion to set aside a judgment against him. In his sole point on appeal, Husband argues that the trial court erred and abused its discretion in overruling his Motion to Set Aside Default Judgment. Husband contends that he presented sufficient evidence to the trial court to establish a meritorious defense and good cause, as required by Rule 74.05(d), for failing to file a responsive pleading to Wife’s Petition for Dissolution of Marriage.

AFFIRM.

Division One holds:

The trial court did not error in denying Husband’s motion to set aside the default judgment because Husband testified that he set the petition aside after opening it even though he knew it was a petition for dissolution of marriage. As a result, Husband failed to meet his burden in showing good cause as required by Rule 74.05(d).

Opinion by Anthony Rex Gabbert, Judge

Date: 11/25/14

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