

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

D.R.P.

APPELLANT,

v.

M.P.P.

RESPONDENT.

DOCKET NUMBER WD78541

DATE: February 9, 2016

Appeal From:

Jackson County Circuit Court
The Honorable Patrick W. Campbell, Judge

Appellate Judges:

Special Division: Cynthia L. Martin, Presiding Judge, Gary D. Witt, Judge and Zel M. Fischer,
Special Judge

Attorneys:

Jonathan Sternberg, Kansas City, MO, for appellant.

Susan D. Szczucinski, Overland Park, KS, for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

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D.R.P.,

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RESPONDENT.

No. WD78541

Jackson County

Before Special Division: Cynthia L. Martin, Presiding Judge, Gary D. Witt, Judge, and Zel M. Fischer, Special Judge

Appellant D.R.P. ("Mother") appeals the judgment of the Circuit Court of Jackson County holding her in civil contempt of the court's judgment regarding the parenting plan for M.P.P. ("Father") with their minor child C.P. ("Daughter"). In her sole point on appeal, Mother argues the trial court erred in finding that she willfully, intentionally, and contumaciously disobeyed the court's judgment and parenting plan because there was not substantial evidence to support such a finding.

AFFIRMED AND REMANDED.

Special Division holds:

(1) The trial court did not err in holding Mother in contempt of court because there is substantial evidence to support the trial court's finding that Father made a prima facie case for civil contempt and Mother failed to establish that her failure to enforce the parenting plan was not due to her own intentional and contumacious conduct. The evidence shows that (1) Mother did not encourage Daughter to spend time with Father; (2) Mother obstructed Father's efforts to exercise his parenting time; and (3) Mother facilitated Daughter's refusal to spend parenting time with Father.

Opinion by: Gary D. Witt, Judge

February 9, 2016

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