

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

JON W. ZIEBOL, Movant/Appellant,	)	No. ED98530
	)	
vs.	)	Appeal from the Circuit Court
	)	of the City of St. Louis
STATE OF MISSOURI, Respondent.	)	Filed: January 2, 2013

The movant, Jon Ziebol, appeals the motion court’s order denying his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. First, the movant claims that plea counsel was ineffective because counsel mistakenly advised him that he would receive a sentence of only twelve to fifteen years of incarceration if he pleaded guilty. Second, the movant asserts that plea counsel failed to advocate for a more favorable disposition by calling additional witnesses on the movant’s behalf at the hearing to transfer custody from the Division of Youth Services.

AFFIRMED.

DIVISION FOUR HOLDS: The record conclusively refutes the movant’s first claim that counsel promised him a sentence of only twelve to fifteen years. The movant’s second claim is not cognizable under Rule 24.035. Consequently, we affirm the motion court’s judgment.

Opinion by: Lawrence E. Mooney, P.J. Patricia L. Cohen, J., and Kurt S. Odenwald, J., concur.

Attorney for Appellant: Lisa M. Stroup

Attorneys for Respondent: Chris Koster and Shaun J. Mackelprang

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.**