

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

#### DIVISION FOUR

JODI WHITFIELD,	)	No. ED100345
	)	
Movant/Appellant,	)	Appeal from the Circuit Court of the
	)	City of St. Louis
vs.	)	
	)	Honorable Thomas J. Frawley
STATE OF MISSOURI,	)	
	)	
Respondent	)	Filed: July 15, 2014

Jodi Whitfield appeals the judgment of the Circuit Court of the City of St. Louis denying her pro se Rule 24.035 motion for post-conviction relief. The motion court refused to appoint counsel for Whitfield and did not conduct an evidentiary hearing.

REVERSED AND REMANDED.

DIVISION FOUR HOLDS: Missouri Supreme Court Rule 24.035 provides that “[w]hen an indigent movant files a pro se [Rule 24.035] motion, the court *shall* cause counsel to be appointed for the movant.” (emphasis added). Accordingly, we reverse the motion court’s judgment. We remand for the motion court to appoint counsel for Whitfield so that she may file an amended Rule 24.035 motion.

Opinion by: Lisa S. Van Amburg, P.J.  
Patricia L. Cohen, J., Philip M. Hess, J., concur.

Attorney for Appellant: Matthew Hucceby  
Attorney for Respondent: Andrew Hooper

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.  
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND  
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