

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FIVE

REBECCA L. HARRIS,)	No. ED100751
)	
Petitioner/Appellant,)	Appeal from the Circuit Court of the
)	St. Charles County
vs.)	
)	Honorable Daniel G. Pelikan
JAMES PRESSON,)	
)	
Respondent.)	Filed: October 7, 2014

Plaintiff Rebecca Harris appeals the judgment of the Circuit Court of St. Charles County dismissing her negligence claim against defendant James Presson for violating her Fifth Amendment right to counsel during a police interrogation.

AFFIRMED.

DIVISION FIVE HOLDS: Presson’s interrogation of Harris—including his allegedly negligent failure to cease questioning her when she invoked her right to counsel—was a discretionary act performed in the course of Presson’s official duties. Harris’s suit is therefore barred, as a matter of law, by the doctrine of official immunity. We affirm the trial court’s judgment dismissing Harris’s claim.

Opinion by: Lisa S. Van Amburg, J.
Angela T. Quigless, C.J., and Kurt S. Odenwald, J., concur.

Attorney for Appellant: Gregory R. Futhey
Attorney for Respondent: Victor S. Williams

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IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND
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