

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

JEFFERY PLACE, Appellant,) No. ED100827
) Appeal from the Circuit Court of
vs.) Jefferson County
) Honorable Gary P. Kramer
STATE OF MISSOURI, Respondent.) Filed: December 9, 2014

Jeffrey Place (Movant) appeals the judgment of the Circuit Court of Jefferson County denying his Rule 29.15 motion for post-conviction relief following an evidentiary hearing. Movant claims that the motion court erred in denying his claims that trial counsel was ineffective in: (1) advising him not to testify in his own defense; and (2) failing to call two defense witnesses.

AFFIRMED.

Division Four Holds: The motion court did not clearly err in denying Movant's Rule 29.15 motion claims that trial counsel provided ineffective assistance because: (1) sufficient evidence supported the motion court's determination that trial counsel did not mislead Movant causing him to waive his right to testify; and (2) neither witness' testimony would have supported Movant's defense theory at trial.

Opinion by: Patricia L. Cohen, P.J.
Roy L. Richter, J., and Robert M. Clayton III., J., concur.

Attorney for Appellant: Elizabeth U. Carlyle
Attorney for Respondent: Dora A. Fichter

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