OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI, Respondent,	)	No. ED100872
	)	Appeal from the Circuit Court of
vs.	)	St. Louis County
	)	Honorable Kristine A. Kerr
WILLIAM COBBINS, Appellant.	)	Filed: October 14, 2014

William Cobbins (Defendant) appeals the judgment of the Circuit Court of St. Louis County convicting him of kidnapping, first-degree robbery, and two counts of armed criminal action. Defendant claims the trial court abused its discretion in denying his Motion to Remove Counsel and Appoint New Counsel ("Motion to Remove Counsel") and defense counsel's motion to withdraw.

AFFIRMED.

Division Four Holds: The trial court did not abuse its discretion in denying defense counsel's motion to withdraw because Defendant failed to demonstrate a total breakdown in communication warranting withdrawal of defense counsel on the eve of trial. As to Defendant's pre-trial, pro se Motion to Remove Counsel, the record reveals that Defendant failed to bring the motion to the trial court's attention and the trial court did not rule upon it. Even were we to consider the trial court's failure to rule on Defendant's Motion to Remove Counsel as a denial of the motion, we find no error because the allegations contained in the motion did not establish a total breakdown in communication.

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

Attorney for Appellant: William J. Swift
Attorney for Respondent: Adam S. Rowley

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.