

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

ANTHONY L. CARROLL,)	No. ED101395
)	
Movant/Appellant,)	Appeal from the Circuit Court of
)	the City of St. Louis
vs.)	
)	Honorable Jimmie M. Edwards
STATE OF MISSOURI,)	
)	Filed: April 14, 2015
Respondent.)	

Anthony Carroll appeals from the trial court's judgment dismissing, without an evidentiary hearing, his Rule 29.15 motion for post-conviction relief. The court found Carroll's motion to be untimely filed.

REVERSED AND REMANDED.

DIVISION ONE HOLDS: Carroll's motion sufficiently alleges facts that, if true, would support the conclusion that his pro se motion was timely filed. However Carroll never had an opportunity to prove those allegations during an evidentiary hearing.

Opinion by: Lisa S. Van Amburg,
Lawrence E. Mooney, P.J. and
Clifford H. Ahrens, J. concur.

Attorney for Appellant: Kent Denzel
Attorneys for Respondent: 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.