

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

LEONARD JAMES,)	No. ED101425
)	
Appellant,)	
)	Appeal from the St. Charles County
vs.)	Circuit Court
)	
STATE OF MISSOURI,)	Honorable Jon A. Cunningham
)	
Respondent.)	Filed: June 9, 2015

Leonard James (Movant) appeals the motion court's denial of his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. Movant claims the motion court erred by denying his Rule 24.035 motion because he pleaded unrefuted facts that plea counsel was ineffective. Movant argues that plea counsel was ineffective for failing to show Movant a videotaped recording of the victim's interview at the Child Center, and that had he seen the video, Movant would not have pleaded guilty to Counts IV and V.

AFFIRMED.

Division Two Holds:

The motion court did not clearly err in denying Movant's Rule 24.035 motion without an evidentiary hearing. The record refutes Movant's claim that plea counsel was ineffective for failing to review material evidence with Movant prior to the plea hearing. No evidentiary hearing was required.

Opinion by: Philip M. Hess, J.
Sherri B. Sullivan, P.J. and Mary K. Hoff, J. concur.

Attorney for Appellant: Kevin B. Gau

Attorney for Respondent: Rachel S. Flaster

<p>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.</p>
