

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

JEFFREY YOUNG,)	No. ED101433
)	
Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	
)	Honorable Edward W. Sweeney, Jr.
STATE OF MISSOURI,)	
)	
Respondent.)	FILED: May 19, 2015

Jeffrey Young (“Young”) appeals from the judgment of the motion court denying his Rule 24.035 motion for post-conviction relief. Young avers that the motion court clearly erred in denying his Rule 24.035 motion without an evidentiary hearing because he alleged facts not refuted by the record demonstrating that he received constitutionally deficient assistance of counsel. In particular, Young alleges that counsel was ineffective in: (1) using his family members to convey legal advice and information; (2) failing to take adequate measures to address his difficulties with communication; and (3) failing to contest the determination of competency made by the Department of Mental Health and failing to request a second examination.

AFFIRMED.

Division III holds: Because Young failed to allege facts not refuted by the record demonstrating he is entitled to relief, the motion court did not clearly err in denying his Rule 24.035 motion without an evidentiary hearing. Accordingly, we affirm the judgment of the motion court.

Opinion by: Kurt S. Odenwald, P.J., Robert G. Dowd, Jr., J. and Gary M. Gaertner, Jr., J. Concur.

Attorney for Appellant: Amy E. Lowe

Attorney for Respondent: Chris Koster and Karen L. Kramer

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.