

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	ED101920
)	
Respondent,)	Appeal from the Circuit Court
)	of the City of St. Louis
v.)	1322-CR02020
)	
ANTHONY HARPER,)	Honorable Michael F. Stelzer
)	
Appellant.)	FILED: February 16, 2016

Anthony Harper (Defendant) appeals from a sentence and judgment of conviction for attempted burglary in the second degree.

AFFIRMED.

Division Two Holds: The trial court did not abuse its broad discretion in allowing the State to argue during its closing statement an adverse inference from Defendant’s failure to call his sister as a witness for the defense, because the State’s comments were proper retaliation for arguments made during the defendant’s closing statement.

Opinion by: Gary M. Gaertner, Jr., J.
Philip M. Hess, P.J., and Angela T. Quigless, J., concur.

Attorneys for Appellant: Kevin B. Gau

Attorneys for Respondent: Chris Koster and Dora A. Fichter

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