

**MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY**

KENNETH CROCKER,)	No. ED102565
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Charles County
vs.)	
)	
STATE OF MISSOURI,)	Hon. Richard K. Zerr
)	
Respondent.)	FILED: January 26, 2016

Appellant Kenneth Crocker (“Crocker”) appeals from the judgment of the motion court denying his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. On appeal, Crocker contends the motion court clearly erred because he alleged facts showing that plea counsel rendered ineffective assistance by failing to call Dr. Richard Scott (“Dr. Scott”) or Dr. Asfar Malik (“Dr. Malik”) to testify about Crocker’s mental history at Crocker’s sentencing hearing, which Crocker maintains would have provided mitigating evidence.

AFFIRMED.

DIVISION FOUR HOLDS: Because plea counsel’s decision not to call Dr. Scott or Dr. Malik to testify was a reasonable strategic decision, we affirm the judgment of the motion court.

Opinion by: Kurt S. Odenwald, Judge
Amburg, C.J., concur.

Sherri B. Sullivan, P.J., and Lisa Van

Attorney for Appellant: Timothy Forneris

Attorney for Respondent: Chris Koster and 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.