

OPINION SUMMARY
MISSOURI COURT OF APPEALS—EASTERN DISTRICT
DIVISION ONE

SHATONDI RICE,)	No. ED103057
)	
Movant/Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	1422-CC00500
)	
STATE OF MISSOURI,)	Honorable Timothy J. Wilson
)	
Respondent.)	FILED: February 16, 2016

Shatondi Rice (Movant) appeals from the motion court’s judgment denying, without an evidentiary hearing, his amended Motion to Vacate, Set Aside or Correct Judgment and Sentence filed pursuant to Rule 24.035 (post-conviction motion).

REVERSED AND REMANDED.

Division One Holds: Trial court’s failure to perform independent inquiry into whether appointed counsel’s untimely filing of amended post-conviction motion on behalf of Movant who pled guilty to second degree murder and armed criminal action constituted abandonment, so as to extend the time for filing the amended motion, required reversal of trial court’s order denying the amended motion without an evidentiary hearing.

Opinion by: Mary K. Hoff, J.
Robert G. Dowd, Jr., P.J., and Roy L. Richter, J., Concur.

Attorney for Appellant: Amanda P. Faerber
Attorney for Respondent: Karen L. Kramer

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