

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION THREE

ANTHONY WALLACE,)	No. ED103125
)	
Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	1322-CC09064
)	
STATE OF MISSOURI,)	Honorable Margaret M. Neill
)	
Respondent.)	Filed: April 12, 2016

Anthony Wallace (“Movant”) appeals the judgment denying his Rule 29.15¹ motion for post-conviction relief without an evidentiary hearing.

REVERSED AND REMANDED.

Division Three holds: Because Movant’s amended motion for post-conviction relief was untimely filed and the motion court made no independent inquiry into whether Movant was abandoned by post-conviction counsel, we must reverse and remand the case to the motion court for such an inquiry.

Opinion by: Robert M. Clayton III, P.J.
Lawrence E. Mooney, J., and James M. Dowd, J., concur.

Attorney for Appellant: Amy E. Lowe

Attorney for Respondent: Chris Koster, Gregory L. Barnes

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.

¹ All references to Rules are to Missouri Supreme Court Rules (2015).