

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

#### DIVISION FOUR

MELVIN HUFFMAN,	)	ED103299
	)	
Appellant,	)	Appeal from the Circuit Court of
	)	the City of St. Louis
v.	)	1522-CC00223
	)	
STATE OF MISSOURI,	)	Honorable Christopher McGraugh
	)	
Respondent.	)	Filed: July 12, 2016

Melvin Huffman ("Movant") appeals the judgment of the motion court denying his Rule 29.15 post-conviction motion without an evidentiary hearing. We reverse and remand because Movant's amended motion was untimely filed and the motion court did not conduct an independent abandonment inquiry.

REVERSED AND REMANDED.

Division Four Holds: Movant's amended motion was untimely filed and the motion court is required to conduct an independent abandonment inquiry.

Opinion by: Lisa P. Page, J.

Sherri B. Sullivan, P.J., and Kurt S. Odenwald, J., concur.

Attorney for Appellant: Matthew Huckeby

Attorney for Respondent: 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.**