

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

EARON RIVERS,	)	ED103632
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of St. Louis County
v.	)	15SL-CC01094
	)	
STATE OF MISSOURI,	)	Honorable Michael D. Burton
	)	
Respondent.	)	Filed: September 20, 2016

Earon Rivers (Movant) appeals the motion court’s judgment denying, without an evidentiary hearing, his motion under Missouri Rule of Criminal Procedure 24.035 to vacate, set aside, or correct the judgment and sentence after his plea of guilty. Movant argues he held a reasonable belief that he would receive a sentence of no greater than 20 years, based on assurances by his plea counsel, and that this belief induced him to plead guilty.

**AFFIRMED.**

Division Four Holds: The guilty plea record reflects that Movant understood that his sentence was in the court’s hands alone and that he could receive up to four life sentences. Movant did not inform the court of any promises regarding his sentence when asked by the court, nor did Movant indicate any complaint with his attorney’s performance before the plea court announced its sentence. Movant complained only when the sentence did not match his understanding, but his complaint reflects that Movant’s attorney merely predicted the sentence Movant would receive. Thus, Movant’s motion does not allege unrefuted facts establishing his guilty plea was involuntary. The motion court did not clearly err in denying Movant’s motion without an evidentiary hearing.

Opinion by: Gary M. Gaertner, Jr., J.  
James M. Dowd, P.J., and Kurt S. Odenwald, J., concur.

Attorney for Appellant: Kevin B. Gau  
Attorneys for Respondent: Chris Koster, Colette Neuner

**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.**