

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

**DIVISION TWO**

MICHAEL GREENLEAF,	)	No. ED103715
	)	
Appellant,	)	
	)	Appeal from the Circuit Court
	)	of St. Louis County
vs.	)	Cause No. 14SL-CC04433
	)	
STATE OF MISSOURI,	)	Honorable Michael D. Burton
	)	
Respondent.	)	Filed: November 1, 2016

Michael Greenleaf (“Movant”) appeals the motion court’s judgment denying his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. Movant’s motion was untimely filed. Accordingly, we vacate the motion court’s judgment and remand the cause with directions to dismiss Movant’s motion because it is time-barred.

JUDGMENT VACATED and REMANDED with directions to dismiss the cause.

Division Two Holds: The motion court clearly erred by addressing Movant’s Rule 24.035 motion on the merits. We vacate the judgment and remand the cause to the motion court with directions to dismiss Movant’s motion.

Opinion by: Colleen Dolan, J.

Sherri B. Sullivan, P.J., and Roy L. Richter, J., concur.

Attorney for Appellant: Chris Koster and Karen L. Kramer

Attorneys for Respondent: Kevin B. Gau

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