

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI, Respondent,)	No. ED91099
)	
vs.)	Appeal from the Cape Girardeau
)	County Circuit Court
C.J.W., Appellant.)	Filed: December 23, 2008

OPINION SUMMARY

C.J.W. (“Defendant”) appeals his conviction, following a bench trial, of one count of child molestation in the first degree. Defendant contends that the trial court erred by denying his constitutional right to present a closing argument.

AFFIRMED.

Division One Holds: The trial court did not err when announcing its verdict without first hearing closing argument because the record establishes that Defendant waived his right to present a closing argument.

Opinion by: Patricia L. Cohen, J. Kurt S. Odenwald, P.J. and Glenn A. Norton, J., concur.

Attorney for Appellant: Craig A. Johnston

Attorneys for Respondent: Shaun J. Mackelprang and Evan J. Buchheim

<p>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.</p>
