

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

#### DIVISION ONE

STATE OF MISSOURI, Respondent,	)	No. ED91668
	)	
	)	Appeal from the Circuit Court
v.	)	of the City of St. Louis
	)	
	)	
EVERETT L. WASHINGTON, Appellant.	)	Filed: June 2, 2009

#### OPINION SUMMARY

Everett Washington (Defendant) appeals from the Judgment entered by the Circuit Court of the City of St. Louis, following a jury trial, convicting him of one count of second-degree robbery, in violation of Section 569.030, RSMo 2000. Defendant was sentenced as a prior felony offender to twelve years of incarceration.

AFFIRMED.

Division One Holds: The trial court did not err, plainly or otherwise, in denying Defendant's Batson<sup>1</sup> challenge.

Opinion by: Kurt S. Odenwald, P.J.                      Glenn A. Norton, J. Concurs, and  
Patricia L. Cohen, J., Concurs in separate opinion.

Attorney for Appellant:              Mark Dean

Attorneys for Respondent:      Chris Koster and Daniel McPherson

**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.**

<sup>1</sup> Batson v. Kentucky, 476 U.S. 79 (1986).