OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI, Respondent,	)	No. ED91935
	)	
vs.	)	Appeal from the Circuit Court
	)	of St. Charles County
REBECCA LYNN HARRIS, Appellant.	)	Filed: March 2, 2010

Before Sherri B. Sullivan, P.J. and Robert G. Dowd, Jr. and Patricia L. Cohen, JJ.

Rebecca Lynn Harris ("Defendant") appeals from the judgment upon her conviction by a jury of one count of second degree assault, Section 565.060, RSMo 2000[1]. Defendant argues the trial court erred in (1) denying her motion to suppress statements, (2) overruling her counsel's motion to exclude the late endorsement of witnesses, (3) allowing the video deposition of the State's expert witness to be played for the jury without redacting the witness's legal conclusion, and (4) allowing the double hearsay testimony of Detective James Presson ("Detective Presson").

REVERSED AND REMANDED.

Division Two holds: The trial court erred in denying Defendant's motion to suppress her statements and in admitting the statements at trial. The trial court did not err by allowing the video deposition of Dr. Spivey to be played for the jury without any redactions.

PER CURIAM.

Attorneys for Appellant: William M. Byrnes and Brian E. Zink

Attorneys for Respondent: Chris Koster and Jayne T. Woods

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.

[1] All further statutory references are to RSMo 2000 unless otherwise indicated.