



**In the Missouri Court of Appeals
Eastern District
DIVISION THREE**

STATE OF MISSOURI,)	No. ED92751
)	
Respondent,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	0622-CR06301-01
)	
EARL WILLIAMS,)	Honorable John J. Riley
)	
Appellant.)	Filed: February 23, 2010

OPINION SUMMARY

Earl Williams appeals the judgment of the trial court convicting him of the misdemeanor of resisting a lawful detention (Count III).¹

AFFIRMED IN PART AND REMANDED IN PART.

Division Three holds:

- (1) The trial court did not err in overruling Williams's motion for judgment of acquittal at the close of evidence because there was sufficient evidence to support the charge of misdemeanor resisting a lawful detention.
- (2) The trial court erred in sentencing Williams to a term in excess of the maximum sentenced allowed for a conviction of misdemeanor resisting a lawful detention; therefore, we remand for resentencing on Count III within the correct range of punishment.

Opinion by: Glenn A. Norton, P.J. Mary K. Hoff, J., concur
Lawrence E. Mooney, J., concur in result

¹ Williams was also convicted of robbery in the first degree (Count I) and armed criminal action (Count II). Williams does not appeal those convictions.

Attorneys for the Respondent: Chris Koster, Attorney General
Mary H. Moore, Assistant Attorney General

Attorney for Appellant: Jessica Hathaway

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.