

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,) No. ED92962
)
 Respondent,) Appeal from the Circuit Court
) of the City of St. Louis
 v.) Case Number 0822-CR00626-01
)
 TERRANCE WREN,) Honorable Bryan L. Hettenbach
)
 Defendant/Appellant.) Filed: May 18, 2010

Terrance Wren (Defendant) appeals from the trial court’s judgment entered upon a jury verdict convicting him of the class A felony of murder in the first degree in violation of Section 565.020, two counts of armed criminal action in violation of Section 571.015, five counts of the class A felony of unlawful use of a weapon in violation of Section 571.030, and one count of the class A felony of assault in the first degree in violation of Section 565.050.

AFFIRMED.

Division Four Holds: The trial court did not 1) clearly err in overruling Defendant’s motion for judgment of acquittal because sufficient evidence established Defendant’s identity and supported Defendant’s convictions as to murder in the first degree, armed criminal action, and unlawful use of a weapon; 2) err in overruling Defendant’s motion for judgment of acquittal as to his murder-in-the-first-degree conviction because the evidence was sufficient for the jury to find beyond a reasonable doubt that Defendant deliberated; 3) clearly err or abuse its discretion in refusing to submit Defendant’s proposed instructions for assault in the second degree and armed criminal action in connection with assault in the second degree, because there was no basis for acquittal of assault in the first degree and conviction of the lesser offense; and 4) abuse its discretion in overruling Defendant’s objection to cross-examination of a defense witness concerning his gang affiliation with Defendant, to demonstrate possible bias.

Opinion by: Gary M. Gaertner, Jr., J.
Kurt S. Odenwald, P.J., and George W. Draper III, J.concur.

Attorneys for Appellant: Gwenda Renee’ Robinson

Attorneys for Respondent: Chris Koster and Shaun J. Mackelprang

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