

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

DALE HOWARD,)	ED93170
Appellant,)	
)	Appeal from the Circuit Court of
v.)	Cape Girardeau County
)	Hon. Benjamin Frederick Lewis
STATE OF MISSOURI,)	
Respondent.)	Filed: January 26, 2010

OPINION SUMMARY

The movant, Dale Howard, appeals from the motion court’s dismissal of his Rule 29.15 motion for post-conviction relief. On appeal, he claims that he was abandoned by his post-conviction counsel, and that the motion court erred by dismissing his motion without issuing findings of facts and conclusions of law.

REVERSED AND REMANDED.

DIVISION ONE HOLDS: We find that the movant was not abandoned by his counsel. However, we reverse and remand because the motion court erred by failing to issue findings of fact and conclusions of law.

Opinion by: Nannette A. Baker, J.

Kathianne Knaup Crane, P.J. and Clifford H. Ahrens, J., concur.

Attorney for Appellant: Loyce Hamilton

Attorneys for Respondent: Shaun Mackelprang and Jayne Woods

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND
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