

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED93245
)	
Respondent,)	Appeal from the Circuit Court
)	of St. Louis County
v.)	Case No. 07SL-CR06178-01
)	
BRUCE GERMANY,)	Honorable Steven H. Goldman
)	
Appellant.)	Filed: October 26, 2010

Bruce Germany (Germany) appeals from a judgment of conviction for fifteen counts of sexual contact with a student by a teacher, a class D felony, in violation of Section 566.086 RSMo (Supp. 2006).

AFFIRMED IN PART; REVERSED AND REMANDED IN PART.

Division Five Holds: The trial court erred in part in overruling Germany's motion for judgment of acquittal because the State failed to prove an essential element of sexual contact under Section 566.086 RSMo (Supp. 2006) for Count XI. The trial court did not err (1) in overruling Germany's motion for judgment of acquittal for the remaining counts, or (2) in issuing instructions with disjunctive verdict directors. We reverse Count XI and remand to allow the trial court to reconsider its sentence.

Opinion by: Gary M. Gaertner, Jr., P.J.
Mary K. Hoff, J., and Patricia L. Cohen, J., concur.

Attorneys for Appellant: Nancy A. McKerrow

Attorneys for Respondent: Chris Koster
Terrence M. Messonnier

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.