

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED93792
)	
Respondent,)	Appeal from the Circuit Court
)	of St. Francois County
vs.)	
)	Honorable Kenneth W. Pratte
RICHARD D. GREENLEE,)	
)	
Appellant.)	FILED: December 21, 2010

Richard Greenlee (Greenlee) appeals from the trial court's judgment following a jury conviction for first-degree statutory sodomy. Greenlee was subsequently sentenced as a prior offender to life imprisonment.

AFFIRMED.

Southern Division holds: 1) The trial court did not err in overruling Greenlee's motion to dismiss due to misconduct by the State because of pre-trial publicity; 2) the trial court did not err in denying Greenlee's motion to dismiss for failure of the State to grant a speedy trial; 3) the trial court did not plainly err in trying Greenlee's case in one day and did not improperly coerce the jury into returning a guilty verdict; 4) the trial court did not err in overruling Greenlee's motions for directed verdict and judgment of acquittal because there was sufficient proof to satisfy each element of first-degree statutory sodomy; 5) the trial court did not err in refusing to submit the case to the jury on the lesser included offense of first-degree sexual misconduct; and 6) Greenlee failed to preserve his constitutional attack on the validity of Section 566.062 and the verdict directing instruction. This Court declines to review Greenlee's points on appeal which were not properly briefed and preserved for appellate review.

Opinion by: Kurt S. Odenwald, J. Roy L. Richter, C.J., and Gary M. Gaertner, Jr., J., Concur.

Attorney for Appellant: Mark A. Kennedy

Attorney for Respondent: Chris Koster and Terrence M. Messonnier

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