

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

THOMAS CHANEY, Appellant,)	No. ED93798
)	
vs.)	Appeal from the Circuit Court
)	of Warren County
STATE OF MISSOURI, Respondent.)	Filed: November 2, 2010

Thomas Chaney (“Movant”) appeals from the motion court’s denial of his Rule 24.035 motion for post-conviction relief after an evidentiary hearing. Movant’s sole argument is the motion court clearly erred in denying his Rule 24.035 motion for post-conviction relief because his guilty plea was entered in an unknowing, involuntary, and unintelligent manner in that his attorney was ineffective for failing to inform him that one of the counts of first-degree child molestation should have been charged as a class C instead of a class B felony.

AFFIRMED.

Division Four holds: The State’s motion to dismiss Movant’s appeal is denied. The motion court did not err in denying Movant’s claim that his guilty plea was entered in an unknowing, involuntary, and unintelligent manner and that his counsel was ineffective for failing to inform him that one of the counts of first-degree child molestation should have been charged as a class C instead of a class B felony.

Opinion by: Robert G. Dowd, Jr., J.
Kurt S. Odenwald, P.J. and Nannette A. Baker, J., concur.

Attorney for Appellant: Margaret M. Johnston

Attorneys for Respondent: Chris Koster and Mary H. Moore

**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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