

OPINION SUMMARY
MISSOURI COURT OF APPEALS – EASTERN DISTRICT

DIVISION FIVE

STATE OF MISSOURI,)	No. ED95132
)	
Respondent,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	0922-CR03577
)	
RODNEY DONELSON,)	Honorable L. Michael Mullen III
)	
Defendant/Appellant.)	FILED: July 5, 2011

Before Gary M. Gaertner, Jr., P.J., Mary K. Hoff, J. and Patricia L. Cohen, J.

PER CURIAM

Rodney Donelson (Defendant) appeals from the trial court's judgment and sentence imposed after a jury found Defendant guilty of two counts of first-degree murder, in violation of Section 565.020¹, and two counts of armed criminal action, in violation of Section 571.015. The trial court sentenced Defendant to life imprisonment without parole on the first count of murder and to fifty years' imprisonment on the first count of armed criminal action, the sentences for those counts to be served concurrently with each other. The trial court sentenced Defendant to life imprisonment without parole on the second count of murder and to fifty years' imprisonment on the second count of armed criminal action, the sentences for those counts to be served concurrently with each other but consecutively to the first count of murder and the first count of armed criminal action.

AFFIRMED IN PART AND REVERSED IN PART.

Division Five Holds: (1) We reverse the trial court's judgment with regard to the two counts of armed criminal action on the ground that those counts were barred by the statute of limitations, Section 556.036 RSMo Cum. Supp. 2009, and vacate the corresponding sentences of fifty years of imprisonment on each count; and (2) we affirm the trial court's judgment with regard to the two counts of first-degree murder because the jury's verdict on those counts was supported by sufficient evidence.

Counsel for Appellant: Brocca Smith
Counsel for Respondent: Chris Koster, Daniel N. McPherson

¹ All statutory citations are to RSMo 2000, unless otherwise indicated.

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.