

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI, Respondent,)	No. ED96609-01
)	
vs.)	Appeal from the Circuit Court
)	of the City of St. Louis
DAVID R. HUDSON, Appellant.)	Filed: November 20, 2012

The defendant, David Hudson, appeals the judgment entered by the Circuit Court of the City of St. Louis following his conviction by a jury of one count of the class A misdemeanor of third-degree domestic assault, in violation of section 565.074 RSMo. (2000), and one count of the class A misdemeanor of harassment, in violation of section 565.090.1(5) RSMo. (Supp. 2011).

JUDGMENT AFFIRMED IN PART AND REVERSED IN PART

DIVISION FOUR HOLDS: Because the defendant raises no claim of error concerning his conviction for third-degree domestic assault, we affirm the portion of the trial court's judgment convicting him of that offense. Because our Supreme Court has held that the statutory subdivision under which the defendant stands convicted of harassment is unconstitutionally overbroad, his conviction pursuant to that subdivision is illegal and void. Thus, we reverse the defendant's conviction for harassment.

Opinion by: Lawrence E. Mooney, P.J. Patricia L. Cohen, J., and Kurt S. Odenwald, J., concur.

Attorney for Appellant: Jessica Hathaway

Attorney for Respondent: Melissa Nicole Moody

**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.**