

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

STATE OF MISSOURI,)	No. ED96743
)	
Respondent,)	Appeal from the Circuit Court of
)	the County of St. Charles
v.)	Cause No. 1011-CR01909-01
)	Honorable Nancy L. Schneider
MARTIN M. KELLY,)	
)	
Appellant.)	Filed: April 24, 2012

Martin M. Kelly appeals his conviction for failure to register as a sex offender. Kelly claims there was insufficient admissible evidence to support his conviction.

AFFIRMED.

DIVISION TWO HOLDS: This Court adopts the interpretation advocated by the State and articulated in *U.S. v. Van Buren*. We hold that when a sex offender leaves a residence with no intent to return, such conduct constitutes a “change” in residence and he is required to update his status with the appropriate authority. Given such an interpretation, there was sufficient admissible evidence to support Appellant’s conviction and the trial court’s judgment is affirmed.

Opinion by: Kenneth M. Romines, J.
Kathianne Knaup Crane, P.J. and Lawrence E. Mooney, J. concur.

Attorneys for Appellant Martin M. Kelly: Rosalynn Koch

Attorneys for Respondent State of Missouri: Chris Koster, John Winston Grantham

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.