OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI, Respondent,	)	No. ED97219
	)	Appeal from the Circuit Court of
vs.	)	Ste. Genevieve County
	)	Honorable Kenneth W. Pratte
RONALD WRIGHT, Appellant.	)	Filed: September 4, 2012

Ronald Wright (Defendant) appeals the judgment of conviction entered after a jury found him guilty of first-degree murder, armed criminal action, and first-degree burglary. Defendant claims the trial court erred in prohibiting: (1) Defendant's expert witness from testifying that Defendant suffered from a drug-induced psychosis that rendered him incapable of coolly reflecting or premeditating upon his actions; (2) Defendant from testifying about his mental health history; and (3) Defendant's mother from testifying that she observed Defendant exhibiting anxious and strange behavior two days prior to the charged offenses.

AFFIRMED.

Division Four Holds: The trial court did not err in refusing to permit Defendant's expert to testify that, as a result of drug-induced psychosis, Defendant lacked the requisite intent to commit first-degree murder. Defendant could not defend on a theory of diminished capacity based on a diagnosis of drug-induced psychosis because, under Missouri law, a criminal defendant may not introduce evidence of voluntary intoxication or drugged condition for the purpose of negating a mental state which is an element of the offense charged. Mo. Rev. Stat. § 562.076.3. Likewise, the trial court did not err in excluding Defendant's and his mother's testimony that Defendant had a history of drug abuse as well as strange behavior indicative of a drug-induced psychosis.

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

Attorney for Appellant: Craig A. Johnston

Attorney for Respondent: Daniel N. McPherson

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.