

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

STATE OF MISSOURI,	)	No. ED98523
	)	
Plaintiff/Respondent,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
v.	)	
	)	
GESONIA WILLIAMS,	)	Honorable John F. Garvey, Jr.
	)	
Defendant/Appellant.	)	Filed: September 17, 2013

Gesonia Williams (Appellant) appeals from the trial court’s judgment and sentence entered upon a jury verdict finding him guilty of first-degree robbery and first-degree tampering and sentencing him as a prior felony offender to concurrent terms of fifteen years’ imprisonment on the robbery conviction and seven years on the tampering conviction.

AFFIRMED.

Division Two Holds: The trial court did not abuse its discretion in declining to declare a mistrial due to a veniremember’s comment that she knew Appellant from being at “our facility” because the term “facility,” by itself, is a vague, nonspecific term without negative connotation. The trial court did not err in declining to dismiss the charges against Appellant that had not been certified by the juvenile division because the State’s charges after a juvenile has been transferred to a court of general jurisdiction are not so limited. Section 211.071 RSMo 2006, the juvenile certification statute, does not unconstitutionally presume the allegations to be true or permit an increase in the punishment for a juvenile by not submitting to a jury the statutory factors upon which certification is based.

Opinion by: Sherri B. Sullivan, J.  
Lawrence E. Mooney, P.J., and Robert G. Dowd, Jr., J., concur.

Attorney for Appellant: Gwenda Renee Robinson  
Attorneys for Respondent: Evan J. Buchheim

<p><b>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.</b></p>
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