

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

STATE OF MISSOURI,)	No. ED99089
)	
Plaintiff/Respondent,)	Appeal from the Circuit Court of
)	City of St. Louis
vs.)	
)	Honorable David L. Dowd
KEVIN MURRAY,)	
)	
Defendant/Appellant.)	Filed: April 15, 2014

Kevin Murray appeals from the trial court's judgment entered upon a jury verdict convicting him of one count of robbery in the first degree, section 569.020, RSMo 2000, and one count of armed criminal action, section 571.015, RSMo 2000. On appeal, Murray argues that the trial court erred by: (1) admitting into evidence the victim's identification; (2) denying his Batson v. Kentucky, 476 U.S. 79 (1986), challenge to the State's peremptory strikes of three African-American venirepersons; and (3) overruling his objections to the submission of jury instructions.

AFFIRMED.

DIVISION FOUR HOLDS: Because the police procedures utilized during the show-up were not impermissibly suggestive, because Murray failed to sufficiently establish pretext when challenging the prosecutor's peremptory strikes, and because the jury instructions adequately identified the robbery in question the trial court did not err in overruling Murray's objections.

Opinion by: Lisa S. Van Amburg, J.
Patricia L. Cohen, Judge, and
Philip M. Hess, Judge, concur.

Attorney for Appellant: Matthew William Huckleby
Attorney for Respondent: Gregory L. Barnes

**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.**