

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

ALFONZO NICHOLS,)	No. ED99171
)	
Movant/Appellant,)	Appeal from the Circuit Court of
)	the City of St. Louis
vs.)	
)	Honorable Thomas Frawley
STATE OF MISSOURI,)	
)	
Respondent.)	Filed: September 24, 2013

Alfonso Nichols appeals from the judgment of the motion court denying, without an evidentiary hearing, his Rule 24.035 motion for post-conviction relief. Nichols contends the court clearly erred when at sentencing, it denied his motion to withdraw his guilty plea and because his counsel was ineffective for misleading him into believing he would receive a shorter sentence and coerced him into pleading guilty.

AFFIRMED.

DIVISION FOUR HOLDS: Nichols waived his right to pursue post-conviction relief for sentencing court error by failing to appeal the sentencing court's order denying his motion to withdraw his plea and his remaining allegations of ineffective assistance of counsel are refuted by the record.

Opinion by: Lisa S. Van Amburg, J.
Patricia L. Cohen, J. and Gary M. Gaertner, Jr., J. Concur.

Attorney for Appellant: Timothy Joseph Forneris

Attorney for Respondents: Dora A. Fichter

**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.**