

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

CURTIS COLLINS, Appellant,	)	No. ED99214
	)	
vs.	)	Appeal from the Circuit Court
	)	of Ste. Genevieve County
STATE OF MISSOURI, Respondent.	)	Filed: June 28, 2013

Movant appeals from the denial of his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. Movant argues the motion court clearly erred in denying his motion because post-conviction counsel abandoned him by failing to sufficiently allege facts in support of his request for relief.

DISMISSED.

Division Three holds: Movant raises the issue of abandonment by post-conviction counsel for the first time on appeal. Because Movant's claim is not properly before the court, his appeal is dismissed.

Opinion by: Robert G. Dowd, Jr., P. J.  
Roy L. Richter, J. and Angela T. Quigless, J., concur.

Attorney for Appellant: Amanda P. Faerber

Attorney for Respondent: Shaun J. Mackelprang

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