

MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY

MICHAEL JAMERSON,)	No. ED99238
)	
Appellant,)	
)	Appeal from the Circuit Court
vs.)	of St. Louis County
)	
STATE OF MISSOURI,)	Honorable Michael T. Jamison
)	
Respondent.)	FILED: October 1, 2013

Michael Jamerson (Movant) appeals from the judgment of the circuit court denying, without an evidentiary hearing, his Rule 29.15 motion for post-conviction relief. Movant was convicted of first-degree burglary, first-degree assault, and armed criminal action after he broke into his ex-girlfriend's house and shot her new boyfriend. Movant contends that counsel was ineffective for (1) failing to call certain witnesses and solicit testimony supporting his defense theory that the ex-girlfriend invited him to her house and (2) allegedly coercing Movant to waive his right to testify.

AFFIRMED.

DIVISION ONE HOLDS: (1) The proposed witness testimony that Movant claims was omitted would not have provided Movant with a viable defense. The testimony only invited speculative inferences or was already deemed inadmissible at trial. Moreover, Movant suffered no prejudice because the record contained overwhelming evidence of forced entry. (2) The record refutes Movant's claim that counsel coerced him not to testify. Movant confirmed under oath that the decision was his, and, even after an unfavorable verdict, he raised no allegation of coercion but continued to express satisfaction with counsel.

Opinion by: Clifford H. Ahrens, J. Roy L. Richter, P.J., and Glenn A. Norton, J., concur.

Attorney for Appellant: Scott Thompson

Attorney for Respondent: Chris Koster

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