

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

JAMES MOORE,)	No. ED99615
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	Honorable Kristine A. Kerr
STATE OF MISSOURI,)	
)	
Respondent.)	FILED: February 11, 2014

James Edward Moore ("Appellant") filed a Rule 29.15 motion for post-conviction relief on July 8, 1988, claiming that he received ineffective assistance of counsel. The motion court denied his Rule 29.15 motion for post-conviction relief as untimely on August 16, 1988. Appellant now – 24 years later – seeks to reopen his post-conviction proceeding by alleging the motion court erred by failing to appoint counsel to determine whether Appellant's untimeliness was excusable.

DISMISSED.

Division One Holds: Appellant's post-conviction relief motion was governed by Rule 27.26, which motion was reviewed. Moore v. State, 827 S.W.2d 213 (Mo. banc 1992). See Rule 29.15(m) (1988); Fincher v. State, 795 S.W.2d 505, 506 (Mo. App. W.D. 1990). Appellant was not allowed to proceed under Rule 29.15, which would allow him another chance for post-conviction relief.

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

Attorneys for Appellant: PRO SE James Moore
Attorneys for Respondent: CHRIS KOSTER, 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
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