

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI,  
RESPONDENT**

**vs.**

**JON TRAVIS REDIFER,  
APPELLANT**

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DOCKET NUMBER WD69708

DATE: AUGUST 14, 2009

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Appeal from:

Randolph County Circuit Court  
The Honorable Scott A. Hayes, Judge

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Appellate Judges:

Division Three: Harold L. Lowenstein, P.J., Joseph M. Ellis and Lisa White Hardwick, JJ.

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Attorneys:

Robert J. Bartholomew, for Respondent

Kent Denzel, for Appellant

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI, RESPONDENT**

**v.**

**JON TRAVIS REDIFER, APPELLANT**

WD69708

Randolph County, Missouri

Before Division Three Judges: Harold L. Lowenstein, P.J., Joseph M. Ellis and Lisa White Hardwick, JJ.

Jon Redifer appeals from his conviction of one count of resisting arrest. Redifer had run away after an officer pulled up, got out of his car, and told Redifer, who had just gotten out of his own vehicle, to stop. The officer was attempting to stop Redifer because he was aware Redifer had previously had his license revoked and wanted to investigate whether that was still the case.

**REVERSED.**

**Division Three holds:**

- (1) Under the verdict director submitted at trial, the jury was required to find that the officer was making an arrest at the time Redifer fled. Although section 575.150 would allow for a conviction for fleeing from a lawful stop or detention, Redifer's conviction cannot be affirmed on that basis because the jury instruction only allows for a finding of guilt if he was being arrested.
- (2) Because the officer's clearly reflects that he was not arresting Redifer when he ran, Redifer's conviction is unsupported by the evidence.

**Opinion by: Joseph M. Ellis, Judge**

Date: August 14, 2009

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