

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

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COMPLETE TITLE OF CASE:

STATE OF MISSOURI,

Respondent

v.

GREGG A. MAPLES.

Appellant

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DOCKET NUMBER WD70313

DATE: March 9, 2010

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Appeal From:

Circuit Court of Jackson County, MO  
The Honorable John R. O'Malley, Judge

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Appellate Judges:

Division Three: James Edward Welsh, P.J., Mark D. Pfeiffer, and Karen King Mitchell, JJ.

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Attorneys:

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Counsel for Respondent  
Counsel for Respondent

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**MISSOURI APPELLATE COURT OPINION SUMMARY  
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**STATE OF MISSOURI, Respondent, v.  
GREGG A. MAPLES, Appellant**

WD70313

Jackson County

Before Division Three Judges: James Edward Welsh, P.J., Mark D. Pfeiffer, and Karen King Mitchell, JJ.

Gregg A. Maples appeals the circuit court's judgment convicting him of forcible rape and forcible sodomy. Maples asserts that the statute of limitations barred his prosecution, and, therefore, the circuit court erred in overruling his motion to dismiss both charges and in accepting the jury's verdicts and entering judgment and sentence on both counts.

**AFFIRMED.**

**Division Three holds:**

The amendments to the statutes concerning forcible rape and forcible sodomy did not reduce either the maximum or minimum punishment for those offenses. To the extent that Maples argues that the statute of limitations in section 556.036, RSMo, somehow reduced his punishment, we are not persuaded. At the time Maples committed the offenses, there was no statute of limitations for either offense. Further, at the time the State filed the indictment against Maples, there was no statute of limitations for either offense. Thus, under section 1.160, the current version of section 556.036 is an "existing law" under which the proceedings had to be conducted. As such, the statute of limitations for these offenses had not expired, and the circuit court did not err in denying Maples's motion to dismiss these charges and in accepting the jury's verdicts and entering judgment and sentence on both counts.

**Opinion by: James Edward Welsh, Judge**

March 9, 2010

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