

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

STATE OF MISSOURI,

Respondent,

v.

CHARLES PUGH,

Appellant.

DOCKET NUMBER WD73546

Date: January 31, 2012

Appeal from:
Callaway County Circuit Court
The Honorable Gary M. Oxenhandler, Judge

Appellate Judges:
Division Four: Lisa White Hardwick, Chief Judge, Presiding, James M. Smart and
Alok Ahuja, Judges

Attorneys:
Emmett D. Queener, Columbia, MO, for appellant.
Christopher D. Wilson, Fulton, MO, for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY
COURT OF APPEALS -- WESTERN DISTRICT

STATE OF MISSOURI

v.

CHARLES PUGH,

Respondent,

Appellant.

WD73546

Callaway County

Before Division Four: Lisa White Hardwick, Chief Judge, Presiding, James M. Smart
and Alok Ahuja, Judges

A jury convicted Charles Pugh of first-degree trespass. On appeal, Pugh contends the circuit court erred in overruling his motions to dismiss the case because the State failed to bring him to trial within the 180-day time period specified in the Uniform Mandatory Disposition of Detainers Law ("UMDDL"). He also contends the evidence was insufficient to support his conviction for trespass because the State failed to establish he had actual knowledge his entry was unlawful.

AFFIRMED.

Division Four holds:

(1) The circuit court did not err in overruling Pugh's motions to dismiss the case based on the UMDDL. For an inmate to invoke the provisions of the UMDDL, a detainer must have been lodged against him. Because no detainer had been filed

against Pugh, his speedy trial request did not effectively invoke the protections of the UMDDL.

(2) The evidence was sufficient to support Pugh's conviction for first-degree trespass. From the circumstantial evidence, including his flight from the scene and his having latex gloves, a reasonable juror could have found that Pugh was aware he had neither license nor privilege to be in the home and, therefore, knowingly entered it unlawfully.

Opinion by: Lisa White Hardwick, Chief Judge

January 31, 2012

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