

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

STATE OF MISSOURI,

Respondent,

v.

ROGER LEE PARSHALL,

Appellant.

DOCKET NUMBER WD77182

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: March 3, 2015

APPEAL FROM

The Circuit Court of Holt County, Missouri
The Honorable William S. Richards, Judge

JUDGES

Division I: Martin, P.J., and Newton and Pfeiffer, JJ.

CONCURRING.

ATTORNEYS

Robert R. Shepherd, Holt County Prosecuting Attorney
Oregon, MO

Attorney for Respondent,

Cory L. Atkins
Kansas City, MO

Attorney for Appellant.



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

STATE OF MISSOURI,)
)
) **Respondent,**)
v.) **OPINION FILED:**
) **March 3, 2015**
ROGER LEE PARSHALL,)
)
) **Appellant.**)

WD77182

Holt County

Before Division I Judges: Cynthia L. Martin, Presiding Judge, and Thomas H. Newton and Mark D. Pfeiffer, Judges

Roger Lee Parshall appeals the judgment of the Circuit Court of Holt County, Missouri, finding him guilty, after a jury trial, of misdemeanor speeding under section 304.010. On appeal, Parshall claims that the circuit court abused its discretion in admitting radar testimony and that his conviction is not supported by substantial evidence.

AFFIRMED.

Division I holds:

Because the law enforcement officer who ticketed the driver in this case had conducted both tuning-fork and internal tests on the radar unit at the beginning and end of his shift, had conducted an internal radar test near the time and place of the stop of the driver's vehicle, and had ensured that the tuning forks used to test the radar unit were current on their own calibrations, sufficient foundation had been made to support the trial court's admission of the radar evidence.

The radar evidence, in combination with the officer's experienced observation that the driver's vehicle appeared to be traveling well in excess of the posted speed limit, dashboard

camera footage of the vehicle, and the driver's admissions against his interest, constituted substantial evidence to support the driver's conviction for misdemeanor speeding.

Opinion by: Mark D. Pfeiffer, Judge

March 3, 2015

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THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.