

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

IN THE MATTER OF THE CARE AND TREATMENT OF RALPH BOOKER A/K/A RALPH
F. BOOKER, A/K/A RALPH FREEMAN BOOKER, JR.,

Appellant

v.

STATE OF MISSOURI.

Respondent

DOCKET NUMBER WD77460

DATE: MARCH 31, 2015

Appeal From:

Circuit Court of Jackson County, MO
The Honorable Kathleen Forsyth, Judge

Appellate Judges:

Division Two
Anthony Rex Gabbert, PJ., Joseph M. Ellis, Karen King Mitchell, JJ.

Attorneys:

Mary Highland, Jefferson City, MO, Counsel for Respondent,

Attorneys:

Erika Renee Eliason, Columbia, MO, Counsel for Appellant

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

**IN THE MATTER OF THE CARE AND
TREATMENT OF RALPH BOOKER A/K/A
RALPH F. BOOKER, A/K/A RALPH
FREEMAN BOOKER, JR.,**

Appellant,

v.

STATE OF MISSOURI,

Respondent.

WD77460

Jackson County

Before Division Two Judges: Anthony Rex Gabbert, PJ., Joseph M. Ellis, Karen King Mitchell, JJ.

Ralph Freeman Booker, Jr. appeals the circuit court's judgment finding him to be a sexually violent predator and ordering him to be placed in a secure facility in custody of the Department of Mental Health. In his only point on appeal, Booker argues that the trial court plainly erred in allowing the State to impeach his expert witness using statements Booker made during his criminal trial testimony that were restricted by the State's motion in limine regarding collateral estoppel. Booker further argues that the use of these statements violated his right to due process.

AFFIRM.

Division Two holds:

The trial court did not plainly error in allowing the State to impeach Dr. Barnett with testimony that Booker gave during the trial testimony.

Opinion by Anthony Rex Gabbert, Judge

Date:3/31/15

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