MISSOURI COURT OF APPEALS
WESTERN DISTRICT

CHRISTOPHER SCROGGINS

APPELLANT,

v.

STATE OF MISSOURI

RESPONDENT.

DOCKET NUMBER WD82439

DATE: February 25, 2020

Appeal From:

Lafayette County Circuit Court
The Honorable Dennis A. Rolf, Judge

Appellate Judges:

Division Two: Cynthia L. Martin, Presiding Judge, Thomas H. Newton, Judge and Gary D. Witt, Judge

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Attorneys:

Natalie H. Hoge, Kansas City, MO, for appellant.

Dora Fichter, Jefferson City, MO, for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

CHRISTOPHER SCROGGINS, APPELLANT,
v.
STATE OF MISSOURI, RESPONDENT.

WD82439 Lafayette County

Before Division Two Judges: Cynthia L. Martin, Presiding Judge, Thomas H. Newton, Judge, and Gary D. Witt, Judge

Christopher Scroggins appeals from a judgment denying his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. Scroggins argues that it was error to deny his motion without an evidentiary hearing because the record did not conclusively refute his claim that trial counsel was ineffective by failing to argue for a more lenient sentence because of "adolescent development issues affecting youthful offenders."

AFFIRMED.

Division Two holds:

The motion court's denial of Scroggins' Amended Motion without an evidentiary hearing was not clearly erroneous because trial counsel argued leniency based on Scroggins' age during the sentencing hearing. Thus, the record refuted Scroggins' claim.

Opinion by: Cynthia L. Martin, Judge February 25, 2020

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