In the Missouri Court of Appeals
Eastern District

DIVISION FOUR

STATE OF MISSOURI,	)	No. ED107671
	)	
Respondent,	)	Appeal from the Circuit Court of
	)	Montgomery County
vs.	)	17AA-CR00591-01
	)	
MORRIS EDWIN MILLER,	)	Honorable Keith M. Sutherland
	)	
Appellant.	)	Filed: February 25, 2020

Morris Miller appeals the judgment of the Circuit Court of Montgomery County entered after a jury found him guilty of one count of felony forgery and one count of felony stealing for passing a fraudulent check on October 12, 2017, at Jonesburg State Bank in Jonesburg, Missouri. Miller now appeals asserting that the trial court plainly erred by allowing two law enforcement officers to testify that earlier that same day Miller had passed other fraudulent checks at two other banks.

AFFIRMED.

DIVISION IV HOLDS: The trial court did not plainly err in admitting officers' testimony regarding Miller's two other check-cashing incidents that occurred on the same day at the Jonesburg State Bank branches in Warrenton, Missouri and Columbia, Missouri, because those incidents demonstrated Miller's common scheme or plan, which is an exception to the rule that prior misconduct is inadmissible. Miller visited three different banks, all on the same day, and passed three different checks at each of those banks. The admission of evidence of uncharged crimes that deal with the passing of other bad checks continues to meet the common scheme or plan exception and we see no reason to deviate from the foregoing precedent.

Opinion by: James M. Dowd, P.J.

Gary M. Gaertner, Jr., J., and Robin Ransom, J., concur.

Attorney for Appellant: Katharine P. Curry

Attorney for Respondent: Kristen S. Johnson

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.