MISSOURI COURT OF APPEALS
WESTERN DISTRICT

COMPLETE TITLE OF CASE:

STATE OF MISSOURI,

Respondent

v.

ERIN GRAVES.

Appellant

DOCKET NUMBER WD83058

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

DATE: August 11, 2020

Appeal From:

Circuit Court of Cass County, MO
The Honorable R. Michael Wagner, Judge

Appellate Judges:

Division One
Lisa White Hardwick, P.J., Cynthia L. Martin, C.J., and Thomas N. Chapman, J.

Attorneys:

Samuel Buffaloe, Columbia, MO — Counsel for Appellant

Attorneys:

Dora Fichter, Jefferson City, MO — Counsel for Respondent

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI, Respondent,
v.
ERIN GRAVES, Appellant,

WD83058 **Cass County**

Before Division One Judges: Hardwick, P.J., Martin, C.J., and Chapman, J.

Erin Graves ("Graves") appeals from the judgment entered by the Circuit Court of Cass County, Missouri, following a jury trial in which he was found guilty of one count of burglary in the first degree pursuant to section 569.160, RSMo, and one count of stealing pursuant to section 570.030, RSMo, for stealing a motorcycle from an auto auction. He challenges the sufficiency of the evidence to support his burglary conviction.

AFFIRMED.

Division One holds:

Where the detail shop of the auction was not open to the general public (only auto dealers were allowed to buy and sell at the auction and only certain persons, including those qualified to move motorcycles, were allowed in the detail shop) and where Graves's "furtive actions" (concealing his face, wearing a temporary worker vest, and lying about his purpose in moving the motorcycles) indicated that he knew he was not allowed in the detail shop, the evidence was sufficient that Graves or his accomplice knowingly entered the auto auction and its detail shop illegally to support his conviction for first-degree burglary.

Opinion by: Thomas N. Chapman, Judge August 11, 2020

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