OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

ROSS RANDOLPH,	)	No. ED108150
	)	
Appellant,	)	
	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	Cause No. 1922CC-00216
	)	
STATE OF MISSOURI,	)	Honorable Michael F. Stelzer
	)	
Respondent.	)	Filed: September 15, 2020

Ross Randolph ("Movant") appeals the judgment of the motion court dismissing his Rule 24.035 motion for post-conviction relief ("PCR"). Movant asserts in his sole point on appeal that the motion court clearly erred by dismissing his untimely Rule 24.035 motion without first appointing Movant post-conviction counsel.

REVERSED AND REMANDED.

Division One Holds: The motion court clearly erred in failing to appoint post-conviction counsel to Movant after he filed his *pro se* Rule 24.035 motion. We therefore reverse the motion court's judgment dismissing Movant's PCR motion and remand with instructions for the motion court to appoint post-conviction counsel to Movant and for further proceedings consistent with our opinion.

Opinion by: Colleen Dolan, P.J.

Mary K. Hoff, J., and Robert M. Clayton III, J., concur.

Attorney for Appellant: Steven Kratky

Attorney for Respondent: Justin Moody

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.