MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STACEY I.M. MOREHEAD,

Appellant

v.

STATE OF MISSOURI,

Respondent

DOCKET NUMBER WD82925

DATE: October 6, 2020

Appeal From:

Circuit Court of Chariton County, MO
The Honorable Terry A. Tschannen, Judge

Appellate Judges:

Division Two
Karen King Mitchell, Judge, Presiding, Anthony Rex Gabbert, Judge, W. Douglas Thomson, Judge

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Attorneys:

Samuel E. Buffaloe, Columbia, MO,
Counsel for Appellant

Attorneys:

Nathan J. Aquino, Jefferson City, MO,
Counsel for Respondent

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STACEY I.M. MOREHEAD, Appellant,
v.
STATE OF MISSOURI, Respondent

WD82925 **Chariton County**

Before Division Two Judges: Karen King Mitchell, Presiding Judge, Anthony Rex Gabbert, Judge, amd W. Douglas Thomson, Judge

Stacey Morehead appeals the denial of her Rule 24.035 motion for post-conviction relief. In her post-conviction motion, Morehead claimed: (1) her plea counsel misadvised her about the risks in seeking a change of judge; (2) her plea counsel failed to advise her about conflicts of interest he had as a result of his representation of various other people in Chariton County; and (3) the prosecutor in her case had a conflict of interest. She claims on appeal that the trial court clearly erred because her plea counsel's performance was deficient and prejudicial.

DISMISSED AND REMANDED.

Division Two holds:

Where Rule 24.035 requires that the 180-day time limit begins to run when the movant is delivered into the custody of the Department of Corrections, a Rule 24.035 motion filed more than 180 days after the defendant was delivered into the Department of Corrections is untimely.

Opinion by: Anthony Rex Gabbert, Judge Date: October 6, 2020

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