OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,	)	No. ED108263
	)	
Plaintiff/Respondent,	)	Appeal from the Circuit Court
	)	of St. Francois County
v.	)	
	)	
ROBERTA JEAN BAKER,	)	Honorable Wendy Wexler Horn
	)	
Defendant/Appellant.	)	Filed: October 20, 2020

Roberta Jean Baker (Appellant) appeals from the judgment of the trial court entered after a bench trial convicting her of the class B felony of abuse or neglect of a child. On appeal, Appellant makes two claims of error. First, Appellant claims the trial court erred in finding Appellant guilty because the State did not present sufficient evidence to prove beyond a reasonable doubt that Appellant's neglect caused E.B.'s injuries and resulting substantial risk of death.

Second, Appellant claims the trial court plainly erred by proceeding without a jury because Appellant did not clearly waive her right to a trial by jury.

REVERSED.

Division Two Holds: Point I – the trial court erred in finding Appellant guilty because the State did not present sufficient evidence to prove beyond a reasonable doubt that Appellant's neglect caused E.B.'s injuries and resulting substantial risk of death. Because Point I is dispositive, we do not address Point II.

Opinion by: Sherri B. Sullivan, J. Robin Ransom, P.J., and Lisa P. Page, J., concur.

Attorney for Appellant: James C. Egan
Attorney for Respondent: Garrick F. D. Aplin
Attorney for Amicus Curiae National Advocates for Women: Carl D. Kinsky
Attorney for Amicus Curiae ACLU: Kayla M. DeLoach

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