# OPINION SUMMARY
# MISSOURI COURT OF APPEALS EASTERN DISTRICT

## DIVISION FOUR

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|---|---|---|
| TERRON D. POOL, | ) | No. ED108443 |
| | ) | |
| Appellant, | ) | Appeal from the Circuit Court |
| | ) | of the City of St. Louis |
| vs. | ) | |
| | ) | Honorable Rex M. Burlison |
| STATE OF MISSOURI, | ) | |
| | ) | |
| Respondent. | ) | FILED: February 23, 2021 |

Appellant Terron D. Pool ("Movant") appeals the motion court's judgment denying his Rule 29.15 amended motion for post-conviction relief after an evidentiary hearing.

VACATED AND REMANDED.

DIVISION FOUR HOLDS: Because Movant's *pro se* Rule 29.15 motion was untimely, and because the third-party interference exception does not apply to excuse the untimeliness of his motion, the motion court should have dismissed Movant's motion. The judgment of the motion court is vacated, and the case is remanded to the motion court with directions to dismiss the motion.

Opinion by: Michael E. Gardner, J.
Gary M. Gaertner, Jr., P.J., and Philip M. Hess, J., concur.

Attorney for Appellant: Alexandria A. Shah

Attorney for Respondent: Richard A. Starnes

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