OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

SHANE S. KERPASH,	)	No. ED108749
	)	
Appellant,	)	Appeal from the Circuit Court of
	)	Lincoln County
vs.	)	
	)	Honorable Thomas J. Frawley
STATE OF MISSOURI,	)	
	)	
Respondent.	)	Filed: March 9, 2021

Shane Kerpash ("Movant") appeals the denial of his Rule 24.035 motion for post-conviction relief after an evidentiary hearing. Movant pled guilty to unlawful possession of a firearm in violation of section 571.070.2. The plea court suspended the imposition of sentence and placed Movant on two years of probation. After Movant admittedly violated the conditions of probation, the plea court sentenced him to twelve years in the Missouri Department of Corrections. Movant timely filed a Rule 24.035 motion alleging two claims for post-conviction relief for ineffective assistance of counsel, which the motion court denied after an evidentiary hearing.

Movant raises one point on appeal: the motion court clearly erred because plea counsel ("Counsel") failed to inform Movant of the State's five-year plea offer.

AFFIRMED

DIVISION IV HOLDS: The motion court did not clearly err by denying Movant's 24.035 motion. Movant failed to establish ineffective assistance of counsel because the record shows Movant pled voluntarily and knowingly and suffered no prejudice from Counsel's alleged failure to communicate the five-year offer. Accordingly, the motion court's judgment is affirmed.

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

Attorney for Appellant: Carol Jansen

Attorney for Respondent: Shaun J. Mackelprang

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.