OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,	)	No. ED108951
	)	
Plaintiff/Respondent,	)	Appeal from the Circuit Court
	)	of Franklin County
v.	)	
	)	
CHARLES K. KING,	)	Honorable Ted C. House
	)	
Defendant/Appellant.	)	Filed: May 4, 2021

Charles K. King (Appellant) appeals from the trial court's judgment finding him guilty of four counts of forcible rape under section 566.030 and one count of forcible sodomy under section 566.060.[1] On appeal, Appellant claims: (1) the trial court erred by interpreting the forcible rape and forcible sodomy statutes to include victims who were voluntarily intoxicated; (2) there was insufficient evidence to find Appellant used physical force that overcame reasonable resistance; (3) there was insufficient evidence presented to establish a timeframe for the charged actions; (4) the trial court erred in denying his Motion to Dismiss; and (5) the trial court erred in admitting the videotape of the crime into evidence.

AFFIRMED.

Division Two Holds: The trial court did not err in its interpretation of the forcible rape and forcible sodomy statutes to include victims who were voluntarily intoxicated. Appellant's interpretation would lead to an absurd and unreasonable result which contradicts the legislature's focus upon consent. Moreover, sufficient evidence was presented that Victim provided reasonable resistance under the circumstances and a timeframe was established. Finally, the trial court did not abuse its discretion in admitting the videotape of the crime because a proper foundation was laid for the videotape's admission and a sufficient chain of custody was established.

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

Attorney for Appellant: Scott A. Fulford
Attorney for Respondent: Daniel N. McPherson

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.

[1] All statutory citations are to RSMo Cum. Supp. 2006 unless otherwise noted.