OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

STATE OF MISSOURI,	)	ED108511
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of Jefferson County
	)	17JE-CR00250-01
v.	)	
	)	Honorable Victor J. Melenbrink
CHRISTOPHER B. BUECHTING,	)	
	)	Filed: July 27, 2021
Appellant.	)	

Christopher B. Buechting (Appellant) appeals from the trial court's judgment, following a jury trial, convicting him of second-degree murder, in violation of Section 565.021, RSMo 2016.[1] He was sentenced to twenty-eight years in the Missouri Department of Corrections.

AFFIRMED.

Division 2 holds: We find the record lacks the evidence necessary to find Appellant committed the charged crime with the intent to prevent Victim from reporting him or testifying against him; thus, the trial court erred in applying the forfeiture by wrongdoing doctrine to admit evidence of Victim's statements to her friends against Appellant. However, the error was not prejudicial in that it did not deprive Appellant of a fair trial because the evidence against him was overwhelming. Furthermore, we find the trial court did not abuse its discretion in admitting the evidence of Appellant's prior acts of abuse against Victim during the State's rebuttal as a means of counteracting Appellant's evidence of Victim's self-harm and his voluntary denial of any misconduct.

Opinion by: Lisa P. Page, J.

Sherri B. Sullivan, C.J. and Thom C. Clark, II, J., concur.

Attorney for Appellant: Christian Lehmberg

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] Unless otherwise indicated, all statutory citations are to the RSMo. (2016).