OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,	)	No. ED108938
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	
	)	Honorable Michael K. Mullen
ANTONIO EDJUAN MULDREW,	)	
	)	
Appellant.	)	FILED: August 17, 2021

Antonio Edjuan Muldrew ("Muldrew") appeals from his convictions following a jury trial on one count of murder in the first degree, one count of assault in the first degree, one count of robbery in the first degree, and three associated counts of armed criminal action. Muldrew raises two points on appeal. In his first point on appeal, Muldrew argues the trial court erred in entering convictions on both first-degree murder and first-degree assault because doing so violated his right against double jeopardy in that the acts were part of the same course of conduct, therefore his convictions on first-degree assault and the associated count of armed criminal action should be vacated. In his second point on appeal, Muldrew argues the trial court erred in admitting statements made to police after Muldrew had invoked his Miranda right to silence.

AFFIRMED.

DIVISION ONE HOLDS: Because Muldrew shot Victim to commit a robbery, then had time to sell a cigarillo to a customer and wait for the customer to exit the store before shooting Victim twice at close range with a gun he retrieved from the cash register, the record shows Muldrew had sufficient time to reconsider his actions such that his convictions for both assault and murder were lawfully entered without subjecting him to double jeopardy. We deny Point One. Because Muldrew's isolated statement in the context of explaining photographs relating to the offenses did not clearly and unambiguously invoke his right to silence, Muldrew's Miranda rights were not violated, and we deny Point Two. Accordingly, we affirm the judgment of the trial court.

Opinion by: Kurt S. Odenwald, Judge
Sherri B. Sullivan, C.J., and Kelly C. Broniec, J., concur.

Attorney for Appellant: Kristina S. Olson
Attorney for Respondent: Gregory M. Goodwin

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.