IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT

COMPLETE TITLE OF CASE

STATE OF MISSOURI,

Respondent,

v.

CHRISTOPHER LAMAR JONES,

Appellant.

DOCKET NUMBER WD83812

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

DATE: November 9, 2021

APPEAL FROM

The Circuit Court of Jackson County, Missouri
The Honorable Joel P. Fahnestock, Judge

JUDGES

Division One: Thomson, P.J., and Ahuja and Mitchell, JJ. CONCURRING.

ATTORNEYS

Eric S. Schmitt, Attorney General, and Kristen S. Johnson, Assistant Attorney General, Jefferson City, MO, Attorneys for Respondent.

Matthew G. Mueller, St. Louis, MO, Attorney for Appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI, Respondent,
v.
CHRISTOPHER LAMAR JONES, Appellant.

WD83812 **Jackson County**

Before Division One Judges: W. Douglas Thomson, Presiding Judge, and Alok Ahuja and Karen King Mitchell, Judges

Christopher Jones appeals, following a jury trial, his convictions of second-degree murder, § 565.021, armed criminal action, § 571.015, and tampering with physical evidence, § 575.100, for which he was sentenced to concurrent terms of thirteen years' imprisonment for murder, six years' imprisonment for armed criminal action, and one year in the county jail for tampering. Jones raises five points on appeal. First, he argues that § 547.170 is unconstitutional insofar as it suspends the writ of habeas corpus in violation of Article I, § 12, of the Missouri Constitution. Second, he argues that the trial court plainly erred in allowing him to remain in jail after his initial appearance in violation of §§ 544.470 and 544.320. Third, he claims that the trial court erred in admitting evidence of his prior security license revocation for giving false information to a 911 radio dispatcher because that evidence constituted inadmissible evidence of prior bad acts. Fourth, he argues that the trial court erred in admitting State's Exhibit 79 (the letter revoking Jones's prior security license) because, he contends, it constituted improper character evidence. Finally, he argues that the trial court erred in allowing the State to argue during rebuttal closing argument that Jones's act of pointing his weapon at Victim constituted the use of deadly force in Missouri. Finding no error, we affirm.

AFFIRMED.

Division One holds:

1. The unavailability of an appeal bond for a convicted defendant is not equivalent to suspending the writ of habeas corpus.

2. Raising a challenge, for the first time on appeal, to an allegedly improper pretrial detention is simply too late.

3. Evidence that Jones's prior security license had been revoked was relevant to both establish his motive to commit tampering with physical evidence by hiding his gun and rebut any claims of mistake in Jones's understanding of the scope of his authority as a security officer.

4. Jones received the relief he requested in response to his objection to the prosecutor's closing argument, and when a defendant receives all the relief requested on objection at trial, he cannot thereafter claim the same error on appeal.

Opinion by: Karen King Mitchell, Judge November 9, 2021

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THIS SUMMARY IS **UNOFFICIAL** AND SHOULD NOT BE QUOTED OR CITED.