MISSOURI COURT OF APPEALS
WESTERN DISTRICT

IN THE INTEREST OF: T.R.T.,
APPELLANT

vs.

JUVENILE OFFICER,
RESPONDENT

DOCKET NUMBER WD84167

DATE: DECEMBER 14, 2021

Appeal from:

The Circuit Court of Jackson County, Missouri
The Honorable Jalilah Otto, Judge

Appellate Judges:

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

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Attorneys:

Carol Jansen, for Appellant

Lori A. Fluegel, for Respondent

MISSOURI APPELLATE COURT OPINION SUMMARY

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v.
JUVENILE OFFICER, RESPONDENT.

WD84167 Jackson County

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

T.R.T. appeals from the trial court's judgment adopting the Jackson County Family Court commissioner's finding and recommendation that T.R.T. committed what would have been, if he were an adult, the felony of statutory sodomy in the first degree, in violation of Section 566.062. In his three points on appeal, T.R.T. challenges the sufficiency of the evidence and argues the trial court abused its discretion in admitting hearsay evidence.

AFFIRMED.

Division One holds:

There was sufficient evidence at trial from which a reasonable finder of fact could have found beyond a reasonable doubt that T.R.T. engaged in a "sexual act" by inserting his finger into Victim's anus and that T.R.T. acted with "the purpose to arouse or gratify [his] sexual desire." Additionally, the trial court did not abuse its discretion in admitting both of Victim's statements pursuant to the excited utterance exception to the hearsay rule.

Opinion by: W. Douglas Thomson, Judge Date: December 14, 2021

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