MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI

APPELLANT,

v.

M.M.W. Jr.

RESPONDENT.

DOCKET NUMBER WD84314 Consolidated with WD84315

DATE: January 25, 2022

Appeal From:

Jackson County Circuit Court
The Honorable David Michael Byrn, Judge

Appellate Judges:

Division Four: Cynthia L. Martin, Chief Judge, Presiding, W. Douglas Thomson, Judge and Janet Sutton, Judge

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Attorneys:

P. Benjamin Cox, Kansas City, MO, for appellant.

Jeffrey Christopher Esparza, Kansas City, MO, for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI, APPELLANT,
v.
M.M.W. Jr., RESPONDENT.

WD84314 (Consolidated with WD84315) Jackson County

Before Division Four Judges: Cynthia L. Martin, Chief Judge, Presiding, W. Douglas Thomson, Judge, and Janet Sutton, Judge

The State appeals from the circuit court's orders dismissing two indictments against M.M.W., Jr. The State argues that the circuit court erred in dismissing the indictments because it erroneously relied on amendments to Chapter 211, RSMo, that took effect after M.M.W.'s indictments to conclude that M.M.W., who was seventeen at the time of his offenses, could not be tried in a court of general jurisdiction.

REVERSED AND REMANDED.

Division Four holds:

The amendments to Chapter 211 are not retroactive in application; therefore, the amendments do not apply to confer statutory authority on the juvenile court to adjudicate M.M.W.'s offenses. The circuit court erred in dismissing the indictments against M.M.W.

Opinion by: Cynthia L. Martin, Judge January 25, 2022

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