OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,	)	No. ED109602
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of St. Louis County
v.	)	Cause No. 18SL-CR08413-01
	)	
KEITH STEWART,	)	Honorable Mary Elizabeth Ott
	)	
Appellant.	)	Filed: February 22, 2022

Keith Stewart appeals the circuit court's judgment entered on his conviction for one count of child molestation in the second degree following a bench trial. In his sole point on appeal, Stewart argues the evidence was not sufficient for any rational factfinder to find beyond a reasonable doubt that he committed the crime within the venue of St. Louis County.

AFFIRMED.

Division Five Holds: Stewart waived his objection to venue when he failed to raise the issue before trial. As venue is not an element of child molestation in the second degree, and Stewart waived his objection, the State did not have a burden to prove that Stewart committed the crime within the venue of St. Louis County. However, even if the State was required to prove venue, the evidence at trial was sufficient to prove beyond a reasonable doubt that Stewart committed child molestation in the second degree in St. Louis County, as the victim testified as to Stewart's criminal act, and her testimony was corroborated by the testimony of two other witnesses.

Opinion by: Cristian M. Stevens, J.,
Sherri B. Sullivan, C.J., and Colleen Dolan, J. concur.

Attorney for Appellant: Jedd C. Schneider
Attorney for Respondent: Brianna J. Baldwin

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.