MISSOURI COURT OF APPEALS
WESTERN DISTRICT

LAKEITH R. COURTNEY, APPELLANT,
v.
STATE OF MISSOURI, RESPONDENT.

DOCKET NUMBER WD85114

DATE: March 21, 2023

Appeal From:

Jackson County Circuit Court
The Honorable Bryan Round, Judge

Appellate Judges:

Division Three: Thomas N. Chapman, Presiding Judge, Mark D. Pfeiffer, Judge, Cynthia L. Martin, Judge

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Attorneys:

Justin Ortiz, Kansas City, MO for appellant.

Kristen Shively Johnson, Jefferson City, MO for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

LAKEITH R. COURTNEY, APPELLANT,
v.
STATE OF MISSOURI, RESPONDENT.

WD85114 Jackson County

Before Division Three: Thomas N. Chapman, Presiding Judge, Mark D. Pfeiffer, Judge, Cynthia L. Martin, Judge

Lakeith R. Courtney appeals from the motion court's denial of his Rule 24.035 motion for post-conviction relief following an evidentiary hearing. Courtney asserts that the motion court committed clear error in denying his motion for post-conviction relief because in refusing to permit the admission of evidence or other discussion related to self-defense during the sentencing hearing, the sentencing court denied Courtney due process and meaningful allocution.

AFFIRM.

Division Three holds:

1. In pleading guilty to murder in the second degree and armed criminal action, Courtney waived his right to litigate the issue of self-defense.

2. The plain language used by the sentencing court demonstrates that the trial court did not prevent the admission of evidence or statements of any kind that Courtney wished to offer during allocution.

Opinion by: Cynthia L. Martin, Judge March 21, 2023

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