OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

JIHAD A. SPANN,	)	No. ED110550
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	2022-CC10450
	)	
STATE OF MISSOURI,	)	Honorable Steven R. Ohmer
	)	
Respondent.	)	Filed: September 26, 2023

Jihad A. Spann ("Movant") appeals the judgment denying his Rule 29.15[1] motion for post-conviction relief following an evidentiary hearing.

Movant raises four points on appeal. Movant's first three points on appeal contend the motion court erred in denying his amended motion for post-conviction relief because the court failed to conduct an independent inquiry into Movant's alleged abandonment claim. Movant's fourth point on appeal argues the motion court erred by failing to issue findings of fact and conclusions of law on all claims raised by Movant's *pro se* motion.

AFFIRMED.

Division One holds:

(1) Because appointed post-conviction counsel filed an amended motion on Movant's behalf and did so in a timely manner, the motion court was not required to conduct an independent inquiry into Movant's alleged abandonment claim. Accordingly, we hold the motion court did not err in denying Movant's Rule 29.15 motion for post-conviction relief without first conducting an independent abandonment inquiry.

(2) The motion court did not err in failing to issue findings of fact and conclusions of law on all thirty-seven claims raised in Movant's *pro se* motion.

[1] All further references to Rules are to Missouri Supreme Court Rules (2020), which was the version of the rules in effect at the time Movant's *pro se* motion for post-conviction relief was filed on December 1, 2020.

Opinion by: Robert M. Clayton III, P.J.
Philip M. Hess, J. and Cristian M. Stevens, J., concur.

Attorney for Appellant: Matthew G. Mueller

Attorney for Respondent: Zeb J. Charlton

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.