MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY

IN THE INTEREST OF: J.M.W.	)	No. ED110708
	)	
	)	Appeal from the Circuit Court
	)	of Lincoln County
	)	
	)	Honorable David H. Ash
	)	
	)	FILED: September 26, 2023

J.M.W. appeals from the juvenile court's judgment of disposition committing her to the custody of the Division of Youth Services following her being adjudicated delinquent on the offenses of third-degree assault, two counts of fourth-degree assault of a law enforcement officer, possession of intoxicating liquor by a minor, fourth-degree domestic assault, and engaging in behaviors injurious to her welfare. J.M.W. raises two points on appeal. J.M.W. first argues the juvenile court plainly erred in adjudicating her delinquent on the possession count because she was entitled to legal immunity as the subject of a medical emergency pursuant to Section 195.205. J.M.W. next asserts the juvenile court erred in finding her delinquent on one count of assault in the fourth degree because she lacked the requisite mental state.

AFFIRMED.

DIVISION TWO HOLDS: Because J.M.W. did not facially establish substantial grounds for believing that the juvenile court's failure to apply Section 195.205 sua sponte resulted in manifest injustice in the disposition, we decline to exercise our discretion to review Point One for plain error and deny the point. Because the record contains sufficient evidence that J.M.W. attempted to cause or recklessly caused physical injury or physical pain to the law enforcement officer, the juvenile court did not err in finding her delinquent on the contested charge of fourth-degree assault. Accordingly, we affirm the judgment.

Opinion by: Kurt S. Odenwald, P.J.
Michael E. Gardner, J., and Renée D. Hardin-Tammons, J., concur.

Attorney for Appellant: Jeffrey C. Esparza

Attorney for Respondent: Michelle L. Krueger

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.