MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI, Respondent,
v.
JASON SCOTT KLEIN, Appellant.

DOCKET NUMBER WD85767

DATE: November 28, 2023

Appeal From:

Pettis County Circuit Court
The Honorable Keith Michael Bail, Judge

Appellate Judges:

Division Two: Mark D. Pfeiffer, Presiding Judge, Alok Ahuja, Judge, and Thomas N. Chapman, Judge

---

Attorneys:

Emily Lazaroff, St. Louis, MO, counsel for appellant.

Zeb Charlton, Jefferson City, MO, counsel for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI, Respondent,
v.
JASON SCOTT KLEIN, Appellant.

WD85767 Pettis County

Before Division Two Judges: Mark D. Pfeiffer, Presiding Judge, Alok Ahuja, Judge, and Thomas N. Chapman, Judge

Following a bench trial, Jason Klein was convicted of possession of a controlled substance and resisting arrest. On appeal, Klein argues that the trial court erred in overruling his motion to suppress because an officer exceeded the scope of a *Terry* patdown in seizing two bags of methamphetamine from Klein. Klein also argues that the evidence at trial was insufficient to establish that the substances recovered from his person were methamphetamine.

AFFIRMED.

Division Two holds:

1. The trial court did not err in overruling Klein's motion to suppress in that there was evidence presented at the suppression hearing that Klein consented to a search of his person, that the officer identified a bag in Klein's pocket as methamphetamine by feel during an initial patdown, and that the officer then placed Klein under arrest, justifying a further search incident to arrest during which two bags of methamphetamine were seized from Klein's possession.

2. Sufficient evidence was introduced at trial that the substance in Klein's possession was methamphetamine.

Opinion by: Thomas N. Chapman, Judge November 28, 2023

This summary is UNOFFICIAL and should not be quoted or cited.