MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI, Respondent,
v.
LOUIS J. WATTS, Appellant.

DOCKET NUMBER WD84952

DATE: February 13, 2024

Appeal From:

Jackson County Circuit Court
The Honorable Kevin D. Harrell, Judge

Appellate Judges:

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

---

Attorneys:

Annette Wallace, Kansas City, for Appellant,

Alex Beezley, Jefferson City, for Respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

STATE OF MISSOURI, Respondent,
v.
LOUIS J. WATTS, Appellant.

WD84952 Jackson County

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

In October 2019, Watts unlawfully entered his ex-girlfriend's home in Kansas City and shot her in the head, causing her serious physical injury. Following the shooting, Watts stole the victim's vehicle, a black 2013 Toyota RAV4.

Watts was charged with multiple felonies, including the class D felony of stealing property with a value of $750 or more. The victim did not testify concerning the value of the vehicle Watts stole, and the State presented no other evidence of the vehicle's value. Instead, the evidence establishes only that Watts stole a vehicle that was six-to-seven years old, that he drove the vehicle approximately one mile, and that he then parked the vehicle in a parking lot.

Watts was convicted of all six felonies with which he was charged. He appeals, challenging only his conviction for felony D stealing.

CONVICTION OF FELONY STEALING REVERSED, AND CASE REMANDED FOR ENTRY OF CONVICTION FOR MISDEMEANOR STEALING.

Division Two holds:

The State must present sufficient evidence from which a jury could find each of the elements of an offense beyond a reasonable doubt. Although our sufficiency-of-the-evidence review is deferential, we may not supply missing evidence, or give the State the benefit of unreasonable, speculative, or forced inferences. In this case, the State presented no evidence of the monetary value of the vehicle which Watts stole; nor did the State present any meaningful evidence concerning the vehicle's condition. In such circumstances, there was no basis for the jury to find that the vehicle had a value of $750 or more, other than sheer speculation.

Even though the State failed to present evidence of the value of the stolen vehicle, it did present sufficient evidence that Watts had committed class A misdemeanor stealing, and in its verdict the jury found each of the essential elements of the misdemeanor offense. Accordingly, on remand the circuit court should enter a conviction of, and sentence Watts for, class A misdemeanor stealing.

Opinion by: Alok Ahuja, Judge February 13, 2024

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