OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

RAYMOND ORDOUKHANIAN,	)	No. ED111752
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of Lincoln County
v.	)	Cause No. 17L6-CC00144
	)	
STATE OF MISSOURI,	)	Honorable Thomas J. Frawley
	)	
Respondent.	)	Filed: October 15, 2024

Raymond Ordoukhanian ("Movant") appeals from the motion court's denial of his *pro se* Rule 29.15 motion for post-conviction relief. He argues the motion court clearly erred in denying his pro se motion because trial counsel was ineffective for agreeing to a stipulation regarding DNA evidence, failing to object to expert witness testimony for lack of foundation and as speculative, and failing to object to Victim's testimony about uncharged bad acts.

AFFIRMED.

Division One Holds:

(1) Movant waived his first point on appeal because it was not sufficiently pled in his *pro se* Rule 29.15 motion. If we were to address the point, we would find that the stipulation was a reasonable trial strategy to limit the evidence regarding Movant's semen on Victim's comforter. Also, Movant was not prejudiced because he agreed to the stipulation and the stipulation was cumulative of Movant's trial testimony admitting that his semen was on the comforter.

(2) Movant also waived his second point on appeal. If we were to address the point, we would conclude that counsel was not ineffective for failing to object to nurse practitioner C.C.'s testimony that 90 to 95 percent of SAFE exams come back normal, as did Victim's. C.C.'s testimony was not expert testimony and any objection to lack of foundation or speculation would have been meritless.

(3) Finally, Movant waived his third point on appeal. If we were to address the point, we would conclude that counsel was not ineffective for failing to object to Victim's testimony regarding uncharged acts of oral sodomy. Opting not to object was reasonable trial strategy to avoid drawing more attention to the testimony. Also, an objection to improper propensity evidence would have been meritless because the testimony was relevant and was not unduly prejudicial.

Opinion by: Cristian M. Stevens, J.,
James M. Dowd, P.J., and Angela T. Quigless, J., concur.

Attorney for Appellant:	Stephanie Hoeplinger, Assistant Public Defender
Attorney for Respondent:	Andrew Bailey, Attorney General Evan Buchheim, Assistant Attorney General

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.