OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,	)	No. ED112081
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of St. Charles County
vs.	)	Cause No. 2211-CR00250-01
	)	
ANDREW J. PERREY	)	Honorable Daniel G. Pelikan
	)	
Appellant.	)	FILED: March 4, 2025

Andrew J. Perrey (Defendant) appeals from the trial court's judgment following jury trial convictions on one count first-degree burglary and multiple counts of stealing, including one count Class D felony stealing property valued at $750 or more, one count of Class A misdemeanor stealing, and one count Class D misdemeanor stealing property valued at less than $150. Point One challenges the sufficiency of the evidence for felony stealing property valued at $750 or more. Specifically, Defendant argues the State adduced no evidence as to the value of Victim's bicycle, attached accessories, and laser tape measure at the time they were stolen, making the valuation merely speculative. Points Two, Three, and Four allege that the trial court erred in allowing three law enforcement officers (collectively Officers) to identify Defendant in surveillance footage of the offenses, and still images taken from that footage, because each of their testimonies, respectively, invaded the province of the jury, which could decide for itself whether the footage depicted Defendant.

AFFIRMED.

DIVISION TWO HOLDS: Because the State adduced sufficient evidence from Victim's testimony and sales receipt that Defendant stole items with an aggregate value of $750 or more, we deny Point One. The testimony of law enforcement officers who are familiar with a defendant is an exception to the general rule that lay witnesses are prohibited from offering an opinion on a disputed issue. Therefore, because Officers here were well-familiar with Defendant and testified from their personal knowledge in a way that aided the jury given Defendant's altered physical appearance, the trial court did not err in admitting their identifications of Defendant from the surveillance footage and still images. Moreover, even if impermissibly admitted, Defendant was not prejudiced by the admissions. Thus, we deny Points Two, Three, and Four. Accordingly, we affirm the trial court's judgment.

Opinion by: Rebeca M. Navarro-McKelvey, J.
Lisa P. Page, P.J., and Virginia W. Lay, J., concur.
Attorney for Appellant: Christian E. Lemberg
Attorney for Respondent: Nathan J. Aquino

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.