MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY

DIVISION ONE

JAMES MARSHALL SCOTT,	)	No. ED112665
	)	
Appellant,	)	Appeal from the Circuit Court of
	)	the City of St. Louis
vs.	)	1822-CC01174
	)	
STATE OF MISSOURI,	)	Honorable John T. Bird
	)	
Respondent.	)	Filed: June 17, 2025

Before James M. Dowd, P.J., Angela T. Quigless, J., and Lisa P. Page, J.

Scott brings four points on appeal claiming that the trial court erred in denying his Rule 29.15 motion because he proved that his counsel was ineffective in the following ways: (1) by failing to investigate alibi witnesses; (2) by failing to investigate hospital records; (3) by failing to impeach a witness with a prior inconsistent statement; and (4) by failing to object when the prosecutor argued that Scott should be punished for conduct for which he was acquitted. But, we are unable to reach their merits because his amended motion was untimely and the court failed to conduct an abandonment inquiry as required by Rule 29.15(g).

REVERSED AND REMANDED.

Division I Holds: Scott's amended motion was late. Because the court did not conduct an abandonment inquiry, we must reverse and remand for that purpose.

Opinion by: James M. Dowd, Presiding Judge

Angela T. Quigless, J., and Lisa P. Page, J., concur.

Attorney for Appellant: Julian Wilks

Attorney for Respondent: Garrick F.D, Aplin

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.