OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,	)	No. ED112885
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of Montgomery County
v.	)	Cause No. 18AA-CR00469-01
	)	
BRANDEN G. COLLINS	)	Honorable Jason H. Lamb
	)	
Appellant.	)	Filed: June 17, 2025

Appellant Branden Collins appeals his conviction for possession of methamphetamine residue and possession of drug paraphernalia. In one point on appeal, Appellant argues that the circuit court plainly erred when it failed to *sua sponte* exclude Appellant's statements because admission of those statements violated his Fifth Amendment privilege against self-incrimination.

AFFIRMED.

Division Three Holds: Appellant has the burden to show that he was not *Mirandized*, but his assertion that the officer did not read him his *Miranda* rights is not supported by any citation to the record. Instead, Appellant relies on the presumption that the absence of such evidence tends to prove that the *Miranda* warnings were not given. Without evidence, there is no evident, obvious, and clear error. We affirm.

Opinion by: Renée Hardin-Tammons, J.
Philip M. Hess, P.J., and Gary M. Gaertner, Jr., J., concur.

Attorney for Appellant: David R. Angle
Attorney for Respondent: Andrew Bailey, Attorney General
Renee C. Suddy, Assistant Attorney General

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