Missouri Court of Appeals
Southern District

In Division

STATE OF MISSOURI, Plaintiff-Respondent, v. CAMEO LORENZO GILMORE, Defendant-Appellant.	Case Number SD39181 **Filed: September 24, 2026**

APPEAL FROM THE CIRCUIT COURT OF GREENE COUNTY

Honorable Philip M. Fuhrman, Judge

AFFIRMED

Cameo Lorenzo Gilmore ("Gilmore") appeals a judgment convicting him of unlawful possession of a firearm, two counts of unlawful use of a weapon, and fourth-degree assault,[1] after a jury trial, in the Circuit Court of Greene County, Missouri ("trial court"). In one point on appeal, Gilmore argues that the trial court erred in overruling his Motion for Judgment of Acquittal at the Close of All the Evidence ("Motion") on count IV, unlawful use of a weapon, because the evidence was insufficient from which a

[1] *See* sections 571.070, RSMo Cum. Supp. 2020; 571.030, RSMo Cum. Supp. 2023; and 565.056, RSMo 2016. Gilmore was also found not guilty of three counts of armed criminal action pursuant to section 571.015, RSMo Cum. Supp. 2020.

reasonable juror could find that he exhibited the weapon in an angry or threatening manner. We disagree and affirm the judgment.

Factual Background and Procedural History

On December 4, 2023, Victim was walking home from work at his job in a warehouse retreading tires when he saw Gilmore standing across the street. Victim and Gilmore had not met before and did not know each other, but Gilmore told Victim to "come here[,]" and continued asking Victim to come across the street. Victim initially ignored Gilmore, but when he persisted, Victim turned to Gilmore and said, "What?" Gilmore then said, "I was gonna bless you[,]" and he pulled out a gun. Gilmore then acted like he was going to run towards Victim. Victim testified at trial that Gilmore was acting "like he just wanted to intimidate me." As soon as he saw the gun, Victim turned and started running away from Gilmore back to his place of work. Once inside, Victim told his coworker, Sandi, that someone was outside threatening him with a gun. As soon as he spoke to Sandi, Victim testified that Gilmore "starts charging us[,]" still with the gun in his hand. When asked if Gilmore ever pointed the gun at him, Victim testified as follows:

> He said, "I was going to bless you," and then he -- you know, he pulled out a pistol. So he's -- it's like -- I'm so fast on it that I'm -- I'm not looking -- like, looking down the barrel. It's like -- I know he pointed it at me. He had to have pointed it at me.

Gilmore appeals.

Analysis

In his sole point on appeal, Gilmore argues that the trial court erred in overruling his Motion because the State presented insufficient evidence from which a reasonable juror could find beyond a reasonable doubt that he unlawfully used a weapon, in that there was insufficient evidence that he exhibited the gun towards Victim in an angry or threatening manner. We disagree.

"This Court's review of the trial court's ruling on a motion for judgment of acquittal is to determine whether there is sufficient evidence for the trier of fact to have found the defendant guilty beyond a reasonable doubt." ***State v. Winkle***, 696 S.W.3d 897, 904 (Mo. App. S.D. 2024). We review the sufficiency of the evidence claim to determine whether the State has introduced sufficient evidence from which a reasonable juror could have found each element of the crime beyond a reasonable doubt. ***Id.***; *see also* ***State v. Hunt***, 451 S.W.3d 251, 257 (Mo. banc 2014). This Court will not reweigh the evidence but rather consider it in the light most favorable to the judgment, grant the State all reasonable inferences, and disregard contrary evidence and inferences. ***Hunt***, 451 S.W.3d at 257.

A person commits the crime of unlawful use of a weapon if, *inter alia*, he knowingly "[e]xhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner[.]" Section 571.030.1(4), RSMo Cum. Supp. 2023. Whether the defendant acted in an angry or threatening manner "depends on an objective [rather than subjective] view of [the] defendant's act." ***State v. Williams***, 779 S.W.2d 600, 603 (Mo. App. E.D. 1989).

Gilmore argues that there was insufficient evidence to prove that he exhibited the gun towards Victim in an angry or threatening manner because, while he pulled the gun out, he did not point it at Victim, and Victim's subjective belief that Gilmore pointed the gun at him while he was running away is insufficient. Gilmore also argues that there is insufficient evidence to find that he threatened Victim or that he was angry with Victim when they interacted. We disagree.

Viewed in the light most favorable to the verdict, ***Hunt***, 451 S.W.3d at 257, the fact finder in this case could have found that Gilmore pointed the gun at Victim. Our cases have held that similar conduct is sufficient to establish that the defendant acted in an angry or threatening manner. In ***Williams***, the Eastern District of this Court held that there was sufficient evidence that the defendant exhibited a gun in an angry or threatening manner when the defendant pointed the gun at a store owner who had come upon a robbery. 779 S.W.2d at 602. On appeal, the defendant argued that he had reflexively pointed the gun at the store owner and the act was not volitional. ***Id.*** The Eastern District rejected that theory and stated that "it is unreasonable to believe the pointing of the gun in these circumstances was not 'threatening.' […] a gun pointed at the [store] owner in the circumstances described, objectively viewed, can be nothing other than a threat." ***Id.*** at 602-603; *see also* ***State v. Murry***, 580 S.W.2d 555, 557 (Mo. App. E.D. 1979) (holding that defendant exhibited gun in threatening manner when he yelled an epithet at the victim, marched into his yard and pointed a revolver at the side of his head while standing within a foot of him); ***State v. Overshon***, 528 S.W.2d 142, 143 (Mo.

App. S.D. 1975) (holding that no verbal threat is required, and that defendant acted threatening when he pointed a gun at the victim's head).

Moreover, a defendant need not actually point the gun at a victim to satisfy the element of acting in an angry or threatening manner. Missouri cases have examined the totality of the circumstances when determining the sufficiency of the evidence in similar situations. In ***State v. Huckleberry***, 823 S.W.2d 82, 84 (Mo. App. W.D. 1991), for example, the court found "ample evidence" that the defendant acted in an angry or threatening manner when he met officers at his home while sitting on a tractor and holding a shotgun across his lap, his right hand near the trigger. When officers asked the defendant to drop the weapon, he motioned for them to come forward with his raised right hand and returned his right hand to the trigger area and did so three more times. ***Id.*** In addition, in ***State v. Brewer***, the court held that firing a shotgun into the air along with vulgar and abusive language is sufficient evidence to show that the defendant exhibited a weapon in an angry or threatening manner. 630 S.W.2d 591, 595 (Mo. App. E.D. 1982).

Similarly here, Gilmore, who did not know Victim, got Victim's attention, told Victim, "I was gonna bless you[,]" pulled out a gun, and then acted like he was going to run towards Victim. As soon as Victim saw the gun, he started running away with his back towards Gilmore. Victim fled into the work building he had just left and, when he and his coworker came back outside, Gilmore charged Victim and his coworker with the gun still in his hand. Based on these circumstances, and the case law precedent discussed above, Gilmore's conduct constituted sufficient evidence from which a reasonable juror could find that he exhibited the gun in an angry or threatening manner.

Gilmore's point is denied, and the trial court's judgment is affirmed.

JENNIFER R. GROWCOCK, J. – OPINION AUTHOR

BECKY J. WEST, C.J. – CONCURS

BRYAN E. NICKELL, J. – CONCURS