Missouri Court of Appeals
Southern District

In Division

STATE OF MISSOURI,

Plaintiff-Respondent,

v.

CHARLES NELSON,

Defendant-Appellant.

Case Number SD39100

Filed: November 18, 2026

APPEAL FROM THE CIRCUIT COURT OF GREENE COUNTY

Honorable Kaitlin S. Greenwade, Circuit Judge

AFFIRMED

Following a jury trial, Charles Nelson (Defendant) was convicted of the class A felony of second-degree murder (Count 1) and the unclassified felony of armed criminal action (Count 2). *See* § 565.021; § 571.015.[1] The trial court sentenced Defendant to serve consecutive prison terms of 22 years on Count 1 and eight years on Count 2. In Defendant's point on appeal, he contends the trial court abused its

[1] References to § 565.021 are to RSMo (2016). References to § 571.015 are to RSMo Cum. Supp. (2020).

discretion by excluding evidence that a purse belonging to the victim (Victim) "contained items with other people's identifying information, including their social security numbers and date[s] of birth, other people's mail, and a credit card in [Victim's] mother's name[.]" Finding no abuse of discretion, we affirm.

Factual and Procedural Background

On April 8, 2021, Defendant and Victim began messaging each other on a dating app. Throughout their conversation, Defendant believed Victim was a woman because Victim presented as female and described herself as a single woman, even though Victim was biologically male.[2] During their conversation, Defendant arranged to give Victim twenty dollars in marijuana in exchange for oral sex. Defendant met Victim at her apartment and noticed Victim had a "five o'clock shadow" and a "bulge" in her pants. Defendant asked Victim if she was male and Victim responded that she did not see "what's the issue in it." According to Defendant, he attempted to leave the apartment, but Victim threatened him and told Defendant that he was "going to pay" what was owed. Defendant then asked to use the bathroom, and Victim directed Defendant to use the sink located around the corner from the living room. Victim walked Defendant to the sink and returned to the living room.

After urinating in the sink, Defendant removed a gun from his jacket, turned the corner into the living room, and fired multiple gunshots at Victim before fleeing the

[2] We use the feminine pronouns "she" and "her" to refer to Victim throughout the opinion.

apartment. Two bullets hit Victim in the chest, killing her instantly. During the altercation, a neighbor heard the gunshots and saw Defendant running out of the apartment. As Defendant was driving away, the neighbor was able to take a photograph of Defendant's car.

After the shooting, Defendant did not call 911. Instead, he drove home, called a friend, changed clothes, reloaded his gun, deleted the text messages exchanged between himself and Victim from his phone, and ran errands. Defendant was later arrested at his house by Springfield police officers. Following his arrest, officers seized from Defendant's house the gun Defendant had used to kill Victim.

Officers also searched Victim's apartment and found a pink "bag" or "purse" belonging to Victim. This bag contained several pieces of notebook paper with handwritten personal identifying information of several individuals, items of mail for people who did not live with Victim, at least one person's driver's license, and a credit card belonging to Victim's mother.

A four-day jury trial in the matter occurred in March 2025. During the trial, defense counsel made an offer of proof regarding the items found in the pink bag, arguing they were relevant to show Victim's intent to harm Defendant and Defendant's belief that their arranged meeting was a "set up." The trial court granted the State's motion to suppress evidence of the items found in Victim's bag.

Following the close of the State's evidence, Defendant moved for a judgment of acquittal, which the trial court denied. Defendant then testified on his own behalf.

Defendant testified he felt Victim was going to harm him and he needed to protect himself because Victim refused to let Defendant exit when he attempted to leave the apartment. According to Defendant, he heard Victim "cocking a gun" and felt the gun on the back of his head when he approached the door to leave. Police did not find a gun while searching Victim's apartment.

After Defendant testified, defense counsel moved for a judgment of acquittal at the close of all the evidence, which the trial court again denied. The jury found Defendant guilty of murder in the second degree and armed criminal action. The trial court imposed the aforementioned sentences, and this appeal followed.

Standard of Review

Trial courts have "broad discretion to admit or exclude evidence during a criminal trial, and error only occurs when there is a clear abuse of this discretion." ***State v. Loper***, 609 S.W.3d 725, 731 (Mo. banc 2020) (citation omitted). "A trial court abuses its discretion only if its decision to admit or exclude evidence is clearly against the logic of the circumstances then before the court and is so unreasonable and arbitrary that it shocks the sense of justice and indicates a lack of careful, deliberate consideration." ***State v. Blurton***, 484 S.W.3d 758, 769 (Mo. banc 2016) (internal quotation marks omitted); ***Lozano v. BNSF Ry. Co.***, 421 S.W.3d 448, 451 (Mo. banc 2014). "This Court will reverse the trial court's decision only if there is a reasonable probability that the error affected the outcome of the trial or deprived the defendant of

a fair trial." ***Blurton***, 484 S.W.3d at 769; *see* ***State v. Wood***, 580 S.W.3d 566, 574 (Mo. banc 2019).

Discussion and Decision

In Defendant's sole point on appeal, he contends the trial court "abused its discretion" by "excluding evidence that [Victim's] pink purse contained items with other people's identifying information" because "this evidence was relevant to whether [Defendant] testified credibly when he stated he believed [Victim] had set him up and intended to rob him" and its exclusion "prevented [Defendant] from having a complete defense[.]" We disagree.

"Although there is broad latitude under the [U.S.] Constitution to establish rules excluding evidence from criminal trials[,] that latitude is limited by the defendant's constitutional rights to a meaningful opportunity to present a complete defense[.]" ***State v. Nash***, 339 S.W.3d 500, 513 (Mo. banc 2011) (internal quotation marks omitted); *see* ***Holmes v. South Carolina***, 547 U.S. 319, 324 (2006). Defendant argues that the purse evidence was logically and legally relevant to his claim that he acted in self-defense. As our Supreme Court explained in ***State v. Anderson***, 306 S.W.3d 529 (Mo. banc 2010):

> Evidence must be relevant to be admissible. In Missouri, the general rule is that relevance is two-tiered: logical and legal. *State v. Anderson*, 76 S.W.3d 275, 276 (Mo. banc 2002)[.] Evidence is logically relevant if it tends to make the existence of a material fact more or less probable. *Id*. But logically relevant evidence is only admissible if it is legally relevant. *Id*. Legal relevance weighs the probative value of the evidence against its costs – unfair prejudice, confusion of the issues, misleading the jury, undue delay, waste of time, or cumulativeness. *Id*. (citing *State*

> *v. Sladek*, 835 S.W.2d 308, 314 (Mo. banc 1992)). Accordingly, logically relevant evidence is excluded if its prejudice outweighs its probative value.

Anderson, 306 S.W.3d at 538. Defendant claims the documents found in the pink purse "were logically relevant to show that [Defendant] reasonably believed [Victim] intended to commit a forcible felony by robbing him" and thus Defendant was justified in using self-defense.

When self-defense is at issue, Missouri law "contemplates the admission of evidence of the victim's reputation under either of two scenarios – where the defendant is unaware of the victim's reputation *or* where the defendant is aware of that reputation." ***State v. Gonzalez***, 153 S.W.3d 311, 314 (Mo. banc 2005). "If the evidence of the bad reputation of the victim is *not known to the defendant*, then the evidence of such reputation is admissible only as evidence of who was the initial aggressor and *is not admissible as evidence of reasonable fear of harm on the part of the defendant*." ***Id***. (citing MAI-CR 3d 306.06, Notes on Use 6) (emphasis added).[3] However, when justification is an issue in a criminal case, "the trial court may permit a defendant to introduce evidence of the victim's *prior specific acts of violence of which the defendant had knowledge*, provided that the acts sought to be established are reasonably related to the crime with which the defendant is charged." ***State v. Waller***,

[3] *See also* MAI-CR 4th 406.06, Notes on Use 9 ("If the evidence of the bad reputation of the victim is not known to the defendant, then evidence of bad reputation of the victim is admissible only on the issue of who was the initial aggressor and is not admissible as evidence of reasonable fear on the part of the defendant.")

816 S.W.2d 212, 216 (Mo. banc 1991) (emphasis added). Under the ***Waller*** principle, the following must be met before a victim's prior specific acts of violence are admitted:

> The defendant must lay a proper foundation before the evidence can be admitted. Other competent evidence must have raised the question of self-defense. The defendant must show that he was aware of the specific act or acts of violence. The incidents must not be too remote in time and must be of quality such as to be capable of contributing to the defendant's fear of the victim. Where acts are too remote in time or of a quality substantially different from the act that defendant accuses the victim of committing, the trial court may decline to admit the proof into evidence.

Waller, 816 S.W.2d at 216 (internal citations omitted). Trial courts must exercise discretion when other competent evidence has raised the question of self-defense but the defendant has not satisfied the aforementioned elements. *See* ***State v. Rutter***, 93 S.W.3d 714, 731 (Mo. banc 2002) (trial court properly excluded evidence of victim's alleged assault where the defendant "has not demonstrated" he was "sufficiently aware" of the prior violent incident); *see also* ***State v. Black***, 666 S.W.3d 205, 209 (Mo. App. 2023) (trial court properly excluded evidence of victim's prior acts of violence where the defendant's "lack of detailed knowledge shows he was not 'sufficiently aware'" of the acts).

We cannot apply the ***Waller*** rationale to the case at bar because the record contains no evidence that: (1) any of the items found in Victim's pink purse were obtained through acts of violence by Victim; and (2) Defendant was aware of these alleged prior acts of violence. Defendant's offer of proof demonstrated only that

police officers discovered items and identification information belonging to other individuals in Victim's purse. Defendant had no personal knowledge of the contents of the purse at the time of shooting or how Victim obtained those items. Defendant testified that he knew nothing about Victim, who was a complete stranger at the time they met. Absent any evidence that the items in Victim's purse were acquired by acts of violence and that Defendant was aware of those prior violent acts, the ***Waller*** rationale simply does not apply. Thus, because the evidence of the items in the purse does not prove or disprove a fact in issue nor corroborate other material evidence, it is not logically relevant to the issue of self-defense. ***State v. Harrison***, 24 S.W.3d 215, 220 (Mo. App. 2000).

Defendant further contends the trial court's refusal to admit into evidence the items found in the purse prevented Defendant from presenting a complete defense. This argument also lacks merit. The trial court *did* allow Defendant to testify about his belief that Victim was going to harm him and why he thought it was necessary to use deadly force to protect himself. *See* ***Waller***, 816 S.W.2d at 216 (a defendant "should be permitted to substantiate his claim of justification" to inform the jury of his state of mind at the time of the incident, enabling jurors to "decide whether defendant acted rationally under the circumstances," but a trial court has discretion to limit "the extent to which prior violent acts may be proved" and should avoid "evidentiary conflicts over matters of questionable relevance"). Defendant was permitted to present his version of the events that led to the shooting, including evidence of his state of mind at

the time of the incident. As the fact-finders in this case, the jurors were "free to believe any, all, or none of [Defendant's] testimony." ***State v. Abbott***, 412 S.W.3d 923, 929 (Mo. App. 2013).

The trial court did not abuse its discretion in excluding evidence concerning the items found in the pink purse. We affirm the trial court's judgment.

JEFFREY W. BATES, J. – OPINION AUTHER

MATTHEW P. HAMNER, J. – CONCUR

JOSEPH L. HENSLEY, J. – CONCUR