

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,) ED100064
)
Respondent,) Appeal from the Circuit Court
) of St. Louis County
v.) 11SL-CR319-01
)
KEITH STUBBLEFIELD,) Honorable Tom W. DePriest, Jr.
)
Appellant.) Filed: March 4, 2014

Keith Stubblefield (Defendant) appeals his convictions and sentences for murder in the first degree and armed criminal action, arguing there was insufficient evidence of Defendant’s deliberation in the record to support a conviction for first-degree murder.

AFFIRMED.

Division Five Holds: There was sufficient evidence from which a trier of fact could have found the element of deliberation beyond a reasonable doubt. There was eyewitness testimony that Defendant and Victim had a prolonged argument. Defendant had time to terminate the confrontation, and even voiced a desire to do so. Rather than leaving the apartment as he began to, he instead chose to turn back inside the apartment and shoot Victim. This combined with his flight after shooting Victim amounts to sufficient evidence of deliberation.

Opinion by: Gary M. Gaertner, Jr., J.
Robert M. Clayton III, C.J., and Karl A.W. DeMarce, S.J., concur.

Attorney for Appellant: Amy M. Bartholow
Attorney for Respondent: Chris Koster and Robert J. Bartholomew

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