

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

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| STATE OF MISSOURI, |) | No. ED100555 |
| |) | |
| Respondent, |) | Appeal from the Franklin |
| |) | County Circuit Court |
| vs. |) | |
| |) | Honorable John B. Berkemeyer |
| BRAD J. JULIUS, |) | |
| |) | Filed: November 18, 2014 |
| Defendant/Appellant. |) | |

Brad Julius (Defendant) appeals from his judgment of conviction of sexual assault. On appeal, Defendant raises seven points, alleging that the trial court unduly restricted pre-trial discovery, committed four separate instructional errors, and erroneously declined to admonish the jury and grant a mistrial after the prosecutor misstated the law during closing argument. Defendant additionally claims that these errors had a prejudicial cumulative effect.

AFFIRMED.

Division Two Holds: Defendant failed to establish that the trial court abused its discretion by not granting Defendant access to Victim’s medical and psychiatric records. Aside from one non-prejudicial instructional error, the trial court did not err by instructing the jury. The trial court did not abuse its discretion by admonishing the jury after the prosecutor misstated the law during closing argument. Defendant has not established prejudicial cumulative error.

Opinion by: Philip M. Hess, J.
Sherri B. Sullivan, P.J. and Mary K. Hoff, J. concur.

Attorney for Appellant: Frank K. Carlson
Blake R. Fischer, Co-counsel
Sarah K. Tupper, Co-counsel

Attorney for Respondent: Andrew C. Hooper

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IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND
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