

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

REGINALD TAYLOR,)	No. ED101114
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	Honorable Carolyn C. Whittington
STATE OF MISSOURI,)	
)	
Respondent.)	FILED: March 10, 2015

Appellant Reginald Taylor (“Taylor”) appeals from the judgment of the motion court denying his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. Taylor pleaded guilty to one count of domestic assault in the first degree and received a suspended sentence of five years’ imprisonment. Taylor’s probation was subsequently revoked and the trial court executed the five year sentence. On appeal, Taylor argues that the motion court clearly erred in denying his motion for post-conviction relief because Taylor alleged facts not conclusively refuted by the record which would entitle him to relief. Specifically, Taylor alleges he was denied effective assistance of counsel because he was assigned new appointed counsel after his preliminary hearing, and his new counsel was “disinterested” in trying the case, rendering his guilty plea involuntary.

AFFIRMED

Division III holds: Because the record conclusively refutes Taylor’s claim, the motion court did not clearly err in denying his Rule 24.035 motion without an evidentiary hearing. Accordingly, we affirm the judgment of the motion court.

Opinion by: Kurt S. Odenwald, P.J., Robert G. Dowd, Jr., J. and Gary M. Gaertner, Jr., J. Concur.

Attorney for Appellant: Scott Thompson

Attorney for Respondent: Chris Koster and Rachel Flaster

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.