

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

ISADORE GLOVER,	)	No. ED101719
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	
	)	Honorable Michael P. David
STATE OF MISSOURI,	)	
	)	
Respondent.	)	FILED: June 16, 2015

Isadore Glover (“Glover”) appeals from the judgment of the motion court denying his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. Glover pleaded guilty to three counts of burglary in the second degree, one count of attempted burglary in the second degree, two counts of felony stealing, and one count of property damage in the first degree. The trial court suspended imposition of Glover’s sentence and placed him on probation for three years. After twice violating his probation, the trial court revoked probation and sentenced Glover to seven years’ imprisonment for each count of burglary and stealing, four years’ imprisonment for attempted burglary, and four years’ imprisonment for property damage. The trial court ordered the sentences to run consecutively for a total sentence of forty-three years. On appeal, Glover alleges that the motion court clearly erred in denying his 24.035 motion for post-conviction relief without an evidentiary hearing because: (1) his sentences violate his right to protection from cruel and unusual punishment in that a total sentence of forty-three years is grossly disproportionate to his crimes and shocks the conscience, and (2) his plea counsel was ineffective in misinforming and misleading him into believing that a sentence of forty-three years was not a realistic possibility.

**AFFIRMED.**

Division III holds: Glover’s sentences fall within the range proscribed by statute, and their consecutive effect does not constitute cruel and unusual punishment. As to Point Two, Glover has failed to allege any affirmative misrepresentation by plea counsel that could render his plea involuntary. Furthermore, Glover’s claim that his plea was unknowing and involuntary is refuted by the record of the plea hearing which shows that Glover was clearly informed that his case carried the potential of a forty-three year sentence. Because the files and records of this case conclusively show that Glover is entitled to no relief, 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: Jessica Hathaway

Attorney for Respondent: Chris Koster and Daniel McPherson

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