MISSOURI COURT OF APPEALS EASTERN DIVISION
OPINION SUMMARY

RONALD TUCKER,	)	No. ED101728
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	
	)	
STATE OF MISSOURI,	)	Hon. David Dowd
	)	
Respondent.	)	FILED: August 25, 2015

Appellant Ronald Tucker ("Tucker") appeals from the judgment of the motion court denying his Rule 29.15 motion for post-conviction relief following a partial evidentiary hearing. Tucker was found guilty, following a jury trial, of one count of first-degree statutory sodomy and two counts of first-degree child molestation of two victims, B.M. and G.M., and sentenced to ten years' imprisonment. This Court upheld Tucker's convictions and sentence on direct appeal in State v. Tucker, 367 S.W.3d 674 (Mo. App. E.D. 2012). Tucker subsequently filed a Rule 29.15 motion alleging ineffective assistance of counsel, which the motion court denied following a partial evidentiary hearing. On appeal, Tucker contends that the motion court clearly erred in denying his motion because counsel rendered ineffective assistance by (1) failing to file a motion to dismiss the substitute information in lieu of indictment based on the non-specific dates provided therein; (2) failing to cross-examine B.M. and G.M. at trial; and (3) failing to object to the expert witness testimony at trial about grooming.

AFFIRMED.

DIVISION FOUR HOLDS: Because counsel made a reasonable strategic decision in declining to file a meritless motion to dismiss, the motion court did not clearly err in denying Tucker's Rule 29.15 motion without an evidentiary hearing as to Point One. Because counsel's decision not to cross-examine B.M. and G.M was reasonable trial strategy in light of the circumstances of the case, the motion court did not clearly err in denying Tucker's Rule 29.15 motion following an evidentiary hearing as to Point Two. Because counsel was not ineffective for failing to make a meritless objection to the introduction of admissible evidence, the motion court did not clearly err in denying Tucker's Rule 29.15 motion without an evidentiary hearing as to Point Three. Accordingly, we affirm the judgment of the motion court.

Opinion by: Kurt S. Odenwald, Judge Sherri B. Sullivan, P.J., and Patricia L. Cohen, Judge

Attorney for Appellant: Timothy Forneris

Attorney for Respondent: Chris Koster and Mary H. Moore

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.