

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION THREE

STATE OF MISSOURI,)	No. ED101865
)	
Respondent,)	Appeal from the Circuit Court of
)	the City of St. Louis
vs.)	
)	Honorable Christopher McGraugh
SHEROD PHILLIPS,)	
)	Filed: December 1, 2015
Movant/Appellant.)	

Sherod Phillips appeals the trial court's judgment convicting him, after a jury trial, of possession of a controlled substance and possession of drug paraphernalia with intent to use. In two points relied on, Phillips contends (1) that insufficient evidence was presented at trial to support his convictions, and (2) that the trial court abused its discretion in admitting evidence of uncharged drug transactions, namely police testimony that Phillips sold drugs from his residence in the days before police executed a search warrant there, and empty capsules associated with heroin distribution that the police found outside his residence.

AFFIRMED.

Division III Holds:

- 1) Sufficient evidence was presented at trial to support Phillips's convictions.
- 2) The trial court did not abuse its discretion in determining that the evidence of uncharged drug sales was relevant and admissible because it tended to show that Phillips knowingly and intentionally possessed a controlled substance, thus providing a more complete and coherent picture of Phillips's charged possession offenses.

Opinion by: James M. Dowd, J.

Robert M. Clayton, P.J., Lawrence E. Mooney, J. concur

Attorney for Appellant: Maleaner Harvey

Attorney for Respondent: Dora A. Fichter

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