

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

THOMAS VENTIMIGLIA,	)	No. ED101900
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	
	)	
STATE OF MISSOURI,	)	Hon. David L. Dowd
	)	
Respondent.	)	FILED: August 25, 2015

Appellant Thomas Ventimiglia (“Ventimiglia”) appeals from the judgment of the motion court denying his Rule 24.035 motion for post-conviction relief without an evidentiary hearing. Ventimiglia pleaded guilty to all charges in two cases brought against him and was sentenced to twenty years’ imprisonment by the trial court. On appeal, Ventimiglia contends that the motion court erred in denying his Rule 24.035 motion without an evidentiary hearing because he alleged facts warranting relief that were not clearly refuted by the record. First, Ventimiglia contends that plea counsel rendered ineffective assistance of counsel by assuring Ventimiglia if he entered blind guilty pleas on all counts in both cases against him, the trial court would sentence him to the long-term drug treatment program pursuant to Section 217.362. Second, Ventimiglia avers that plea counsel rendered ineffective assistance by pressuring Ventimiglia to plead guilty even though Ventimiglia wanted to proceed to trial. Ventimiglia maintains that plea counsel’s ineffective assistance rendered his guilty plea involuntary, unknowing, and unintelligent.

AFFIRMED.

DIVISION FOUR HOLDS: Because Ventimiglia’s claim that his guilty plea was involuntary is directly refuted by the guilty plea record, we affirm the judgment of the motion court.

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

Attorney for Appellant:      Maleaner Harvey

Attorney for Respondent:      Chris Koster and Mary H. Moore

<p><b>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.</b></p>
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