

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED102010
)	
Plaintiff/Respondent,)	Appeal from the Circuit Court
)	of St. Francois County
v.)	
)	
FARRELL WAYNE CROSS,)	Honorable Sandra Martinez
)	
Defendant/Appellant.)	Filed: May 3, 2016

Farrell Wayne Cross (Appellant) appeals from the trial court’s judgment entered upon a jury verdict convicting him of first-degree murder. On appeal, Appellant raises points related to jurisdiction, the prosecutor’s statements during trial and closing argument, the prosecutor’s use of leading questions, and the admission of evidence.

AFFIRMED.

Division Two Holds: The St. Francois County circuit court had subject matter jurisdiction over the case because the State of Missouri has jurisdiction to prosecute state crimes occurring within Mark Twain National Forest. The trial court did not err in overruling Appellant’s objection to the prosecutor’s statement during the testimony of Murl Payne (Payne) and closing argument that Payne did not receive anything in exchange for his cooperation against Appellant. The trial court did not plainly err in failing to *sua sponte* prevent the prosecutor from using leading questions during redirect examination of Payne. The trial court did not err in admitting into evidence testimony from a witness that Appellant made the statement “Some people can get away with murder,” three guns seized from Appellant which were excluded as the murder weapon, and evidence Appellant and his wife were charged with assaulting Victim prior to her murder because the evidence was logically and legally relevant.

Opinion by: Sherri B. Sullivan, P.J. Kurt S. Odenwald, J., and Lisa P. Page, J., concur.

Attorney for Appellant: Michael Gross
Attorneys for Respondent: Chris Koster, Shaun J. Mackelprang, and Cristian M. Stevens

<p>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.</p>
