

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

AKEEM K. JACKSON,)	ED102702
)	
Appellant,)	Appeal from the Circuit Court
)	of the City of Saint Louis
v.)	1422-CC01151
)	
STATE OF MISSOURI,)	Honorable Phillip D. Heagney
)	
Respondent.)	FILED: March 22, 2016

Akeem K. Jackson (Movant) appeals from the motion court’s judgment denying his Rule 24.035¹ motion without an evidentiary hearing, arguing his motion alleged facts showing there was an insufficient factual basis for his guilty plea to the class A felony of robbery in the first degree, and the unclassified felony of armed criminal action. Specifically, Movant argues the State failed to establish that it would need to prove Movant acted with the purpose to promote or further the commission of the crime under an accomplice liability theory.

AFFIRMED.

Division Two Holds: The motion court’s denial of Movant’s rule 24.035 motion without an evidentiary hearing was not clearly erroneous. The record indicates the State charged Movant under an accomplice liability theory by using the phrase “acting with others,” and Movant admitted what the State had said was true. Movant admitted in open court that he knowingly engaged in conduct with others to commit an illegal act, fulfilling the affirmative participation requirement for accomplice liability, and prohibiting him from withdrawing his plea on the basis that he did not understand the nature of accomplice liability. The State need only recite facts that establish the commission of the crime, not explain every element of the crime; yet the motion court went a step further to make it clear Movant admitted to affirmatively participating in promoting illegal activity. Given that the record as a whole refutes Movant’s claim that his guilty plea lacked a factual basis, we find he is not entitled to an evidentiary hearing and the motion court did not clearly err in denying his rule 24.035 motion.

Opinion by: Gary M. Gaertner, Jr., J.
Philip M. Hess, P.J., and Angela T. Quigless, J., concur.

Attorney for Appellant: Srikant B. Chigurupati
Attorneys for Respondent: Chris Koster, Dora A. Fichter

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.

¹ All rule references are to Mo. R. Crim. P. (2015), unless noted otherwise.