

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

LaVINCENT TYRELL ROBINSON,)	No. ED103191
)	
Movant/Appellant,)	Appeal from the Circuit Court of
)	the City of St. Louis
vs.)	
)	Honorable John J. Riley
STATE OF MISSOURI,)	
)	
Respondent/Respondent.)	Filed: June 14, 2016

LaVincent Tyrell Robinson (Appellant) appeals from the motion court’s judgment denying his Rule 29.15¹ motion for post-conviction relief after an evidentiary hearing.

AFFIRMED.

Division Four Holds: (1) The motion court did not clearly err in denying Appellant’s amended post-conviction motion because he failed to show counsel was ineffective for not calling three witnesses whose testimony would not have provided a viable defense for Appellant and (2) the motion court did not clearly err in denying Appellant’s amended post-conviction motion because he failed to show counsel was ineffective for not filing a motion to dismiss one of two counts based on double jeopardy because each count required proof of an element not in the other; for this same reason, appellate counsel was not ineffective for failing to raise this issue on appeal.

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

Attorney for Appellant: Lisa M. Stroup
Attorneys for Respondent: Chris Koster and Rachel Flaster

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.

¹Mo. R. Crim. P. 2013.