

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED91463
)	
Respondent,)	Appeal from the Circuit Court
)	of Washington County
vs.)	Cause No. 04CR-612030
)	Honorable Kenneth Wayne Pratte
JOHNNY SITTNER,)	
)	
Appellant.)	Filed: September 29, 2009

OPINION SUMMARY

Johnny Sittner appeals the judgment of the Circuit Court of Washington County, the Honorable Kenneth Wayne Pratte presiding. Sittner was convicted by a jury of statutory rape in the first degree, § 566.032 RSMo 2000, statutory sodomy in the first degree, § 566.062 RSMo 2000, and two counts of incest, § 568.020 RSMo 2000.

AFFIRMED.

Division Four Holds: The Circuit Court did not abuse its discretion in refusing to allow defense counsel to present evidence that S.S. alleged that she had also been sexually abused by three other men. The Circuit Court’s decision was carefully considered and based on the logic and circumstances before the court.

Opinion by: Kenneth M. Romines, C.J.

Kurt S. Odenwald, P.J., and George W. Draper III, J., concur.

Attorney for Appellant: Matthew Ward

Attorneys for Respondent: Chris Koster, Jamie Pamela Rasmussen

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.