

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI, Respondent,)	No. ED92466
)	
vs.)	Appeal from the Circuit court
)	of the City of St. Louis
TYREE M. WILLIAMS, Appellant.)	Filed: March 16, 2010

The defendant, Tyree M. Williams, appeals the judgment of the Circuit Court of the City of St. Louis following his conviction by a jury of first-degree robbery, in violation of section 569.020 RSMo. (2000), and armed criminal action, in violation of section 571.015.

JUDGMENT MODIFIED AND AFFIRMED AS MODIFIED

DIVISION THREE HOLDS: Because the State did not prove that the defendant qualified as a persistent offender, and because the trial court did not find persistent-offender status, the trial court erred in entering a written judgment reflecting such status. We shall dispose finally of the case, and we modify the judgment and sentence to reflect the defendant's status as a prior offender. We affirm the judgment, as modified, in all other respects.

Opinion by: Lawrence E. Mooney, J. Glenn A. Norton, P.J., Mary K. Hoff, J., concur.

Attorney for Appellant: Edward S. Thompson

Attorneys for Respondent: Chris Koster, James S. Farnsworth

**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.**