OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE EX REL. DARNELL PEETE,	)	No. ED92522
	)	
Petitioner,	)	
	)	
v.	)	Writ of Habeas Corpus
	)	Circuit Court of the City of St. Louis
JIM MOORE, Warden,	)	No. 961-1844
Northeast Correctional Center,	)	
	)	
Respondent.	)	Filed: April 7, 2009

Darnell Peete (Petitioner) has filed a Petition for Writ of Habeas Corpus along with Suggestions in Support and Exhibits

WRIT OF HABEAS CORPUS ISSUED.

Writ Division Four Holds: Petitioner's counsel abandoned him by not filing a direct appeal of his convictions, an act which Petitioner was assured would be performed both by counsel himself and the sentencing court. As such, Petitioner has demonstrated cause and prejudice such that he is excused from failing to file a timely postconviction motion for relief in this case.

Opinion by: Sherri B. Sullivan, J. Mary K. Hoff, J. and Clifford H. Ahrens, J., concur

Attorney for Petitioner: Scott Thompson

Attorney for Respondent: John Hoelzer

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.