

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED92706
)	
Respondent,)	Appeal from the Circuit Court
)	of the City of St. Louis
v.)	
)	
LANDERS PAGE,)	Honorable L. Michael Mullen III
)	
Appellant.)	Filed: March 16, 2010

Landers Page (Defendant) appeals from his conviction, following a jury trial, of one count of class C felony stealing, in violation of Section 570.030, RSMo 2000, and one count of class A misdemeanor stealing, in violation of Section 570.030. Finding Defendant to be a prior and persistent offender as defined in Section 558.016, the trial court sentenced Defendant to fifteen years on the first count and a concurrent one year term on the second count.

Defendant raises two points on appeal. First, Defendant claims that the State's procedure of reading his prior felony convictions into the record and the trial judge asking Defendant if those indeed were his convictions (during a hearing outside the presence of the jury and before the case was submitted to the jury) was not a permissible method of finding him to be a prior and persistent offender. Second, Defendant claims that the trial court erred in denying his motion for judgment of acquittal because there was insufficient evidence to support the verdicts.

AFFIRMED

Division Four Holds: We affirm Defendant's conviction and sentence but remand the case to correct a clerical mistake in Defendant's sentence and judgment form.

Opinion by: Kurt S. Odenwald, P.J.
George W. Draper III, J., and Gary M. Gaertner, Jr., Concur

Attorney for Appellant: Lisa M. Stroup

Attorney for Respondent: Chris Koster and Terrence M. Messonnier

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.