

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

J. C. BRYANT, III,)	No. ED93270
)	
Movant/Appellant,)	Appeal from the Circuit Court
)	of St. Louis City
v.)	Case No. 0722-CC08661
)	
STATE OF MISSOURI,)	The Honorable Philip D. Heagney
)	
Respondent.)	Filed: June 15, 2010

J.C. Bryant (Appellant) appeals from the motion court's judgment denying, without an evidentiary hearing, his amended motion under Rule 24.035¹ to Vacate, Set Aside, or Correct Judgment and Sentence and Request for Evidentiary Hearing.

AFFIRMED.

Division Four Holds: The motion court did not clearly err in denying without an evidentiary hearing Appellant's request for post-conviction relief, because a factual basis existed for the plea court to accept Appellant's guilty plea to assault of a law enforcement officer in the first degree, Wilder v. State, 301 S.W.3d 122, 130 (Mo. App. E.D. 2010); and because parole eligibility is a collateral, rather than direct, consequence of the guilty plea, and thus the plea court was not required to explain the 85% requirement to Appellant, Reynolds v. State, 994 S.W.2d 944, 946 (Mo. banc 1999). Rule 24.035(h), (k); Weeks v. State, 140 S.W.3d 39, 44 (Mo. banc 2004).

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

Attorneys for Appellant: Jo Ann Rotermund

Attorneys for Respondent: Chris Koster, Daniel K. Jacob

**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.**

¹ All rule references are to Mo. R. Crim. P. 2010, unless otherwise indicated.