

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

DERAUGHN BROWN,)	No. ED94429-01
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	
STATE OF MISSOURI,)	Honorable John F. Kintz
)	
Respondent.)	FILED: July 12, 2011

Deraughn Brown ("Movant") appeals the denial of his Rule 24.035 motion without an evidentiary hearing.

AFFIRM IN PART; REVERSE AND REMAND IN PART

Division Two holds: We affirm in part and remand for an evidentiary hearing in light of our Supreme Court's holding in Webb v. State, 334 S.W. 3d 126 (Mo. banc 2011).

Opinion by: Roy L. Richter, P.J.
Kathianne Knaup Crane, J., and George W. Draper III, J., concur

Attorney for Appellant: Gwenda Renee Robinson

Attorneys for Respondent: Jeremiah W. (JAY) Nixon, Daniel N. McPherson

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.