

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

LEROY COLLINS,)	No. ED94590
)	
Appellant,)	Appeal from the Circuit Court of
)	the City of St. Louis
v.)	Cause No. 0922-CC08799
)	Honorable Thomas C. Grady
STATE OF MISSOURI,)	
)	
Respondent.)	Filed: March 29, 2011

Leroy Collins appeals the judgment of the Circuit Court of the City of St. Louis, the Honorable Thomas C. Grady, presiding. The Circuit Court denied Barnes' Rule 24.035 motion for post-conviction relief.

REVERSED AND REMANDED.

DIVISION ONE HOLDS: The Circuit Court erred in denying Collins an evidentiary hearing on his motion as he alleged facts, not refuted by the record, which, if true, would entitle him to relief and he was prejudiced by the matter of which he complained.

Opinion by: Kenneth M. Romines, J. Roy L. Richter, C.J. and David Ash, Sp.J., concur.

Attorneys for Appellant: Gwenda Renee' Robinson

Attorneys for Respondent: Chris Koster, Dora A. Fichter

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.