

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,) No. ED94809
)
 Respondent,)
)
 v.) Appeal from the Circuit Court of
) the City of St. Louis
) Cause No. 0722-CR10263
 JERRY MULLINS,) Honorable Bryan L. Hettenbach
)
)
 Appellant.) Filed: April 19, 2011

Jerry Mullins appeals the judgment of the Circuit Court of the City of St. Louis, the Honorable Bryan L. Hettenbach, presiding. Mullins appeals the trial court's admission of the identification of him in a police line-up and subsequent trial identification. Mullins claims the line-up was unnecessarily suggestive and resulted in misidentification by the witness.

AFFIRMED.

DIVISION ONE HOLDS: The Circuit Court properly admitted the identification evidence. The pre-trial identification was not unduly suggestive as there was no improper comment or activity by the police before, during, or after the line-up.

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

Attorneys for Appellant: Andrew E. Zleit

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.