

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

**NORTHERN DIVISION**

STATE OF MISSOURI,	)	No. ED95020
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of Monroe County
vs.	)	
	)	
DONALD CARRIKER,	)	Honorable Michael P. Wilson
	)	
Appellant.	)	FILED: June 14, 2011

Donald Howard Carricker appeals the trial court's denial of his motion for a new trial.

AFFIRMED

Northern Division Holds: The return of a verdict ten minutes after the giving of MAI-CR 3d 312.10 (the hammer instruction) does not demonstrate coercion of the jury or an abuse of discretion.

Opinion by: Roy L. Richter, C.J.,  
Glenn A. Norton, J., and Gary M. Gaertner, Jr., J., concur

Attorney for Appellant: Stephen Ray Porter

Attorneys for Respondent: Chris Koster, Jamie Pamela Rasmussen

**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.**