

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

STATE OF MISSOURI,)	No. ED95094
)	
Respondent,)	Appeal from the Circuit Court
)	of Jefferson County
vs.)	09JE-CR00969-01
)	
DAVID A. MCARTHUR,)	Honorable M. Edward Williams
)	
Appellant.)	Filed: July 5, 2011

David A. McArthur appeals the judgment upon a jury's verdict convicting him of one count of attempted statutory rape in the first degree and four counts of first-degree statutory sodomy.

AFFIRMED

Division One Holds: The trial court did not abuse its discretion in admitting evidence of prior crimes during the penalty phase of the trial.

Opinion by: Roy L. Richter, P.J.,
Kenneth M. Romines, J., concurs in part; dissents in part in separate opinion
Kenneth Thompson, Sp. J., concurs in majority opinion

Attorney for Appellant: Matthew Ward

Attorneys for Respondent: Chris Koster, Timothy A. Blackwell

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.