

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

EDWARD SMITH, JR.,)	No. ED95666
)	
Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
v.)	Case No. 0922-CR08249
)	
STATE OF MISSOURI,)	Honorable Michael K. Mullen
)	
Respondent.)	Filed: June 21, 2011

Edward Smith, Jr. (Movant) appeals from the judgment denying his Rule 24.035¹ motion without an evidentiary hearing.

REVERSED AND REMANDED.

Division Five Holds: The trial court erred in failing to issue findings of fact and conclusions of law, as required by Rule 24.035(j). We remand for further proceedings consistent with our opinion and Rule 24.035(j).

Opinion by: Gary M. Gaertner, Jr., P.J.
Mary K. Hoff, J., and Patricia L. Cohen, J. concur.

Attorneys for Appellant: Lisa M. Stroup

Attorneys for Respondent: Chris Koster
James B. Farnsworth

**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.**

¹ All rule references are to Mo. R. Crim. P. 2011, unless otherwise indicated.