

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

STATE OF MISSOURI ) ED97303  
 )  
 Respondent, ) Appeal from the Circuit Court  
 ) of the City of St. Louis  
 v. ) 1022-CR05910  
 )  
 YULRIS L. WATSON, ) Honorable Lisa S. Van Amburg  
 )  
 Appellant. ) Filed: November 27, 2012

Yulris Watson (Appellant) appeals his convictions and sentences for possession of a controlled substance with intent to distribute and possession of drug paraphernalia with intent to prepare a controlled substance. Appellant argues he did not receive a fair trial or sentence due to the trial court’s admission and consideration of certain evidence.

AFFIRMED.

Division Five Holds: The trial court did not abuse its discretion in allowing testimony that Appellant was carrying a gun as part of a coherent picture of the events that transpired. The trial court did not abuse its discretion by allowing testimony regarding out-of-court statements by two men at the scene because defense counsel opened the door to this testimony on cross-examination. Finally, the trial court did not plainly err in hearing victim impact testimony from two community members at Appellant’s sentencing hearing because such testimony is not precluded by statute, drug crimes victimize communities, and in any event, there is no indication the trial court relied on such testimony in sentencing Appellant.

Opinion by: Gary M. Gaertner, Jr., C.J.  
Robert M. Clayton., III, J., and Lisa K. Page, S.J., concur.

Attorney for Appellant: S. Kathleen (Kate) Webber

Attorney for Respondent: Robert J. (Jeff) Bartholomew

**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.**