

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,) No. ED97597
)
Respondent,) Appeal from the Circuit Court
) of the City of St. Louis
v.)
)
ALEX C. JORDAN,) Honorable Thomas C. Grady
)
Appellant.) Filed: October 9, 2012

Alex C. Jordan (“Defendant”) appeals the judgment entered upon a jury verdict convicting him of one count of attempted robbery in the first degree as an accomplice, in violation of Section 569.020,¹ one count of felony murder in the second degree, in violation of Section 565.021, one count of robbery in the first degree as an accomplice, in violation of Section 569.020, one count of assault in the first degree as an accomplice, in a violation of Section 565.050, and four counts of accompanying armed criminal action (“ACA”), in violation of Section 571.015.

AFFIRMED

Division Three Holds:

- (1) The trial court did not commit plain error because the doctrine of collateral estoppel did not apply to Defendant’s criminal case.
- (2) The trial court did not err in overruling the motion for judgment of acquittal because the evidence was sufficient on each count.
- (3) The trial court did not commit plain error in entering judgment and sentence on count II, ACA related to the felony murder, because although the jury verdict form contained an erroneous reference, the error was not so misdirected that it failed to instruct the jury.

Opinion By: Angela T. Quigless, J.

Robert G. Dowd, Jr., P.J. and Roy L. Richter, J., Concur

Attorney for Appellant: Deborah B. Wafer

Attorney for Respondent: Jennifer Ann Wideman

**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 statutory references are to RSMo. (2000), unless otherwise indicated.