

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED97952
)	
Appellant,)	Appeal from the Circuit Court of
)	the City of St. Louis
vs.)	
)	
EDWARD ROACH,)	Hon. Dennis Schaumann
)	
Respondent.)	FILED: November 20, 2012

The State appeals the trial court’s judgment dismissing count II of an indictment against Edward Roach on grounds of double jeopardy after Roach pled guilty to the same charge in federal court.

REVERSED AND REMANDED.

DIVISION ONE HOLDS: Under the principle of dual sovereignty, double jeopardy does not bar prosecution of the same offense by separate sovereign jurisdictions, such as the state and federal governments. Therefore, the State’s pursuit of count II following Defendant’s federal conviction on the same charge does not violate his right against double jeopardy.

Opinion by: Clifford H. Ahrens, P.J. Sherri B. Sullivan, J., and Glenn A. Norton, J., concur.

Attorney for Appellant: Karen Kramer

Attorney for Respondent: Jessica Hathaway and Michael Cady

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