

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

STATE OF MISSOURI, ) ED97984  
 )  
 Respondent, ) Appeal from the Circuit Court  
 ) of the City of St. Louis  
 v. ) 0922-CR06138  
 )  
 ANTHONY WALLACE, ) Honorable Margaret Neill  
 )  
 Appellant. ) Filed: June 4, 2013

Anthony Wallace (Appellant) was convicted after a bench trial of one count of assault in the first degree, one count of attempted forcible rape, one count of attempted forcible sodomy, and one count of kidnapping. The trial court sentenced Appellant to concurrent sentences of 30 and 15 years on the first two counts, to be served consecutively with concurrent life sentences for the attempted rape and sodomy counts, and 15 years for the kidnapping count. Appellant appeals, arguing the trial court’s determination that he was competent to stand trial was unsupported by substantial evidence.

**AFFIRMED.**

Division Five Holds: The trial court considered written reports and testimony from two experts who evaluated Appellant. Both experts diagnosed Appellant with mild mental retardation and antisocial disorder, and both found Appellant to understand some aspects of his case and misunderstand others. Both experts agreed Appellant could be competent to stand trial, but disagreed as to whether Appellant was competent at the time of their interviews. The trial court was in the best position to weigh the evidence, and there was substantial evidence in the record from which the trial court could conclude Appellant was mentally competent to stand trial.

Opinion by: Gary M. Gaertner, Jr., C.J.  
 Robert G. Dowd, Jr., J. and Robert M. Clayton III, J., concur.

Attorney for Appellant: Timothy Forneris  
 Attorneys for Respondent: Chris Koster  
 Gregory L. Barnes