

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED98457
)	
Plaintiff/Respondent,)	Appeal from the Circuit Court of
)	City of St. Louis
vs.)	
)	Honorable John Garvey, Jr.
LEONARD DUNCAN,)	
)	
Defendant/Appellant.)	Filed: April 23, 2013

Defendant, Leonard Duncan (“Defendant”), appeals from the judgment entered after a jury convicted him of trafficking drugs in the second degree, Section 195.223 RSMo Cum. Supp. 2001. Defendant contends, among other things, the trial court erred in permitting the State, over Defendant’s objection, to impeach Defendant’s witness with Defendant’s prior testimony regarding gang affiliation. Specifically, Defendant claims this was improper impeachment and he was thereby prejudiced.

REVERSED AND REMANDED.

DIVISION TWO HOLDS: The trial court erred in allowing the State to improperly impeach a defense witness with Defendant’s prior testimony regarding gang affiliation and Defendant was thereby prejudiced.

Opinion by: Lisa S. Van Amburg, J.
Kathianne Knaup Crane, P.J. and Mary K. Hoff, J. concur.

Attorney for Appellant: Amanda Faerber

Attorney for Respondent: Evan J. Buchheim

**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.**