

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

ELIJAH J. HARRIS,)	No. ED98602
)	
Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	
)	
STATE OF MISSOURI,)	Hon. Michael P. David
)	
Respondent.)	FILED: June 18, 2013

Elijah Harris (“Movant”) appeals from the judgment of the motion court denying his motion for post-conviction relief pursuant to Rule 29.15 without an evidentiary hearing. Movant contends that his trial counsel was ineffective for failing to investigate and to call a witness to testify at trial.

AFFIRMED.

DIVISION ONE HOLDS: The motion court did not clearly err. Movant told the trial court that he gave trial counsel the names of two witnesses, both of whom testified at trial, and that he felt trial counsel had done the best that he could do. Movant’s statement that he felt that trial counsel could have done more was not a sufficient allegation of ineffective assistance of counsel. In addition, the record showed that trial counsel would not have called the additional witness as a matter of trial strategy. A reasonable choice of trial strategy does not provide a basis for a claim of ineffective assistance of counsel.

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

Attorney for Appellant: Maleaner Harvey

Attorney for Respondent: Todd Smith

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.
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