

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	ED98713
)	
Respondent,)	Appeal from the Circuit Court
)	of Jefferson County
v.)	10JE-CR03225-01
)	
TERRY G. WATSON,)	Honorable Nathan B. Stewart
)	
Appellant.)	Filed: September 3, 2013

Terry Watson (Defendant) appeals his convictions following a jury trial of first degree statutory rape, second degree statutory rape, two counts of first degree sodomy, and incest. Defendant argues that the trial court’s instructions failed to protect his right to a unanimous jury verdict, and he argues the trial court plainly erred in allowing portions of testimony from Defendant’s son and certain statements during the State’s closing argument.

AFFIRMED.

Division Five Holds: Instruction 9 sufficiently protected Defendant’s right to a unanimous verdict because it told the jury they must agree Defendant committed the same act of statutory rape beyond a reasonable doubt. The trial court did not plainly err in giving similar unanimity instructions with the verdict directors for each remaining count. The trial court did not plainly err in allowing the State’s closing argument, as the prosecutor did not misstate the law. We find no plain error resulting in manifest injustice in the trial court’s allowance of Brother’s testimony explaining why he felt Defendant was strict.

Opinion by: Gary M. Gaertner, Jr., J.
Robert M. Clayton III, C.J., and Michael K. Mullen, S.J., concur.

Attorney for Appellant: Alexa Irene Pearson
Attorney for Respondent: Jessica P. Meredith

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