

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

MARK MINICKY,)	No. ED98731
)	
Appellant,)	Appeal from the Circuit Court
)	of Warren County
vs.)	
)	
STATE OF MISSOURI,)	Hon. Keith M. Sutherland
)	
Respondent.)	FILED: June 18, 2013

Mark Minicky (“Movant”) appeals from the judgment of the motion court that denied his motion for post-conviction relief under Rule 29.15. Movant contends that trial counsel was ineffective for failing to object to hearsay testimony from a worker at Missouri Children’s Division.

AFFIRMED.

DIVISION ONE HOLDS: The motion court did not clearly err in denying Movant’s motion for post-conviction relief under Rule 29.15. Movant was not prejudiced by the admission of the allegedly improper hearsay testimony, where such testimony was cumulative, and where there was overwhelming evidence of guilt.

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

Attorney for Appellant: Mark Allen Grothoff

Attorney for Respondent: Daniel Neal McPherson

**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.**