

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

#### SOUTHERN DIVISION

STATE OF MISSOURI,	)	No. ED98752
	)	
Respondent,	)	
	)	Appeal from the Circuit Court
vs.	)	of Cape Girardeau County
	)	
JASON PAUL MITCHELL,	)	Honorable William L. Syler
	)	
	)	
Appellant.	)	Filed: June 4, 2013

Jason P. Mitchell appeals the judgment entered upon a jury's verdict convicting him of the class B felony of stealing.

AFFIRMED.

Southern Division Holds: There was sufficient evidence from which a reasonable juror could have found Mitchell guilty of stealing, and the trial court did not err in denying his motion for judgment of acquittal. In addition, the trial court did not err in giving Instruction Number 5, the verdict director, because the instruction was supported by the evidence and properly patterned after the applicable MAI-CR form.

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

Attorney for Appellant: Stephen C. Wilson, Corwin C. Fitzgerald

Attorneys for Respondent: Chris Koster, Todd T. Smith

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.  
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND  
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