

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED98908
)	
Respondent,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	
)	Honorable Timothy J. Wilson
SYLVESTER PORTER,)	
)	
Appellant.)	FILED: October 15, 2013

Sylvester Porter (“Porter”) appeals from the judgment of the trial court following his conviction by a jury of two counts of statutory sodomy in the first degree. Porter argues on appeal that the trial court erred in denying his motion for judgment of acquittal because insufficient evidence exists to support his conviction. Porter also contends that the trial court erred in allowing the jury to have unrestricted access to the videotaped forensic interview of the victim during its deliberations

AFFIRMED.

Division Three holds: As to Porter’s first and second points, the record contains sufficient evidence from which a reasonable jury could have found Porter guilty on both counts of statutory sodomy. Because there is nothing in the record indicating whether Porter objected to the trial court’s decision to give the jury unrestricted access to the videotape, we are obligated to affirm on Porter’s third point. Finding no error, we affirm the judgment of the trial court.

Opinion by: Kurt S. Odenwald, J., Mary K. Hoff, P.J., and Angela T. Quigless, J., Concur.

Attorney for Appellants: Deborah B. Wafer

Attorney for Respondent: Chris Koster and Timothy A. Blackwell

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.