

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

VANDYNE ERVIN,) ED99407
)
 Appellant,) Appeal from the Circuit Court
) of Marion County
 v.) 12MR-CV00170
)
 STATE OF MISSOURI,) Honorable Rachel Bringer Shepherd
)
 Respondent.) Filed: October 15, 2013

Vandyne Ervin (Movant) appeals the judgment denying his Rule 24.035¹ motion for post-conviction relief after an evidentiary hearing after he pleaded guilty to the class C felony of receiving stolen property in excess of \$500.00.

REVERSED AND REMANDED.

Division Four Holds: The motion court erred in denying Movant’s motion for post-conviction relief. His plea counsel provided ineffective assistance for failing to review discovery, and, but for this deficiency, Movant would not have pleaded guilty to the felony charge of receiving stolen property in excess of \$500.00.

Opinion by: Gary M. Gaertner, Jr., J.
 Lisa S. Van Amburg, P.J. and Patricia L. Cohen, J., concur.

Attorneys for Appellant: Amy M. Bartholow

Attorneys for Respondent: Chris Koster and Mary H. Moore

**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.**

¹ All rule references are to Mo. R. Crim. P. (2013), unless otherwise indicated.