

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	ED99718
)	
Respondent,)	Appeal from the Circuit Court
)	of St. Louis County
v.)	10SL-CR10451-01
)	
BILLY H. CRUDUP,)	Honorable Richard C. Bresnahan
)	
Appellant.)	Filed: December 10, 2013

Billy Crudup (Crudup) appeals the trial court's entry of judgment and sentence upon a jury's verdict finding him guilty of domestic assault in the first degree, armed criminal action, and felonious restraint.

AFFIRMED.

Division Four Holds: The trial court did not: (1) err in failing to instruct the jury on false imprisonment, the lesser included offense to felonious restraint, because the evidence did not support an acquittal on the charge of felonious restraint; (2) err in failing to submit an instruction on self-defense to jury on the charge of domestic assault in the first degree, because a finding of self-defense was not supported by substantial evidence; and (3) abuse its discretion in overruling Crudup's objection to testimony from the Victim's roommate, because Crudup was not prejudiced by the admission of the contested evidence.

Opinion by: Gary M. Gaertner, Jr.

Lisa S. Van Amburg, P.J., and Patricia L. Cohen, J., concur.

Attorney for Appellant: Ellen H. Flotman

Attorneys for Respondent: Chris Koster and Richard A. Starnes

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.