

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

BLAKE SHELTON, Appellant,) No. ED99757
) Appeal from the Circuit Court of
vs.) St. Charles County
) Honorable Nancy L. Schneider
STATE OF MISSOURI, Respondent.) Filed: May 20, 2014

Blake Shelton (Movant) appeals the judgment of the St. Charles County Circuit Court denying his Rule 29.15 motion for post-conviction relief following an evidentiary hearing. Movant claims that the motion court erred in denying his claims that: (1) trial counsel was ineffective in failing to object to the prosecutor's statements and evidence regarding Brian Gasperoni's and John Johnson's guilty pleas to the same offense for which Movant was being tried; and (2) appellate counsel was ineffective in failing to assert that the trial court erred in admitting evidence of Mr. Gasperoni's and Mr. Johnson's guilty pleas.

AFFIRMED.

Division Four Holds: The motion court did not clearly err in denying Movant's Rule 29.15 motion for post-conviction relief because: (1) trial counsel's decision not to object to evidence of Mr. Gasperoni's and Mr. Johnson's guilty pleas was reasonable trial strategy; and (2) Movant abandoned his claim that appellate counsel was ineffective because he failed to present any evidence at the evidentiary hearing in support of his claim.

Opinion by: Patricia L. Cohen, J.
Lisa S. Van Amburg, P.J., and Philip M. Hess, J., concur.

Attorney for Appellant: Amanda P. Faerber

Attorney for Respondent: Daniel N. McPherson

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