

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

STATE OF MISSOURI, RESPONDENT,

v.

TESSY L. BELL, APPELLANT.

DOCKET NUMBER WD68914

DATE: January 13, 2009

Appeal From:
JACKSON COUNTY CIRCUIT COURT
THE HONORABLE JAY A. DAUGHERTY, JUDGE

Appellate Judges:
Division Two: Joseph P. Dandurand, P.J., Harold Lowenstein and James Smart, JJ.

Attorneys:
Ruth Sanders, Esq., Kansas City, MO, **for appellant.**

Jeremiah W. Nixon, Esq. and Jayne T. Woods, Esq., Jefferson City, MO, **for respondent.**

MISSOURI APPELLATE COURT OPINION SUMMARY
COURT OF APPEALS – WESTERN DISTRICT

STATE OF MISSOURI,

RESPONDENT,

V.

TESSY L. BELL,

APPELLANT.

WD68914

Jackson County

Before Division Two Judges: Joseph P. Dandurand, P.J., Harold Lowenstein and James Smart, JJ.

Tessy Bell appeals his convictions of voluntary manslaughter and armed criminal action following a jury trial in the Circuit Court of Jackson County. On appeal, Bell contends that the trial court erred in allowing the current medical examiner to testify about an autopsy performed by the former medical examiner, claiming that such testimony violated Bell's constitutional rights and he was thereby prejudiced.

Affirmed.

Division Two holds:

Bell cannot establish that his constitutional rights were prejudiced by the current medical examiner's testimony. While it was error for the current medical examiner to testify to the opinions of the former medical examiner, it was not reversible error. There was witness testimony to support the State's argument, and the current medical examiner properly testified to her own conclusions regarding the decedent's death after a proper review of the evidence.

Opinion by: Joseph P. Dandurand, Judge

Date: January 13, 2009

THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.