

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

STATE OF MISSOURI,

Respondent,

v.

CHRISTOPHER D. COEN,

Appellant.

DOCKET NUMBER WD72963

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: April 24, 2012

APPEAL FROM

The Circuit Court of Cass County, Missouri
The Honorable Jacqueline A. Cook, Judge

JUDGES

Division Two: Howard, P.J., and Pfeiffer and Mitchell, JJ.

CONCURRING.

ATTORNEYS

Chris Koster, Attorney General
Jennifer A. Wideman, Assistant Attorney General
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Attorneys for Respondent,

Ellen H. Flottman, District Defender
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Attorney for Appellant.



**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

STATE OF MISSOURI,)
)
Respondent,)
v.) **OPINION FILED:**
) **April 24, 2012**
CHRISTOPHER D. COEN,)
)
Appellant.)

WD72963

Cass County

Before Division Two Victor C. Howard, Presiding Judge, and Mark D. Pfeiffer and
Judges: Karen King Mitchell, Judges

Christopher Coen (“Coen”) appeals the judgment of his convictions following a jury trial before the Circuit Court of Cass County, Missouri (“trial court”), of robbery in the first degree, and armed criminal action. The trial court sentenced him to consecutive terms of ten years’ imprisonment for first-degree robbery and three years’ imprisonment for armed criminal action. In his sole point on appeal, Coen asserts that he was deprived of his due process right to present a defense, and that his convictions should be reversed and he should be granted a new trial, because the trial court erred in refusing his proffered jury instructions on duress.

AFFIRMED.

Division Two holds:

Coen’s evidence did not establish the affirmative defense of duress. The evidence: (1) did not reflect coercion that would have reasonably induced apprehension of death or serious bodily injury to Coen had he declined to participate in the robbery; (2) did not reflect that Coen lacked a reasonable opportunity to avoid the criminal actions he participated in; and (3) *did* reflect that Coen recklessly placed himself in the position of succumbing to the pressure of a friend he claimed to have a history of being physically intimidated by. Based on the record, Coen was not coerced into committing these crimes, and we cannot conclude that the trial court abused its discretion in refusing Coen’s proffered duress instructions.

Opinion by: Mark D. Pfeiffer, Judge

April 24, 2012

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