

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

---

COMPLETE TITLE OF CASE:

STATE OF MISSOURI,

Respondent

v.

VICTOR A. EDWARDS.

Appellant

---

DOCKET NUMBER WD73050

DATE: March 13, 2012

---

Appeal From:

Circuit Court of Sullivan County, MO  
The Honorable Gary E. Ravens, Judge

---

Appellate Judges:

Division Three  
James M. Smart, Jr., P.J., Victor C. Howard, and James Edward Welsh, JJ.

---

Attorneys:

Janet Thompson, Columbia, MO

Counsel for Appellant,

---

Attorneys:

Jayne Woods, Jefferson City, MO

Counsel for Respondent

---

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

**STATE OF MISSOURI, Respondent, v.  
VICTOR A. EDWARDS, Appellant**

**WD73050**

**Sullivan County**

Before Division Three Judges: Smart, P.J., Howard, and Welsh, JJ.

Victor A. Edwards appeals the circuit court’s judgment convicting him of one count of first-degree statutory sodomy after a trial by jury. Edwards contends that the circuit court erred by: (1) failing to identify, in the verdict director, the specific act of sodomy the jury was to consider; (2) failing to grant his motion for acquittal on the grounds of evidentiary insufficiency; (3) failing to *sua sponte* declare a mistrial for prejudicial closing statements by the State, and (4) failing to *sua sponte* declare a mistrial for witness testimony that improperly vouched for the victim’s credibility.

**AFFIRMED**

**Division Three holds:**

(1) The circuit court did not err in instructing the jury. There was no evidence of multiple, distinct acts of penile to anal contact, and, therefore, the verdict director was sufficiently specific.

(2) The circuit court did not err in failing to acquit Edwards at the close of evidence. The evidence was sufficient for a jury to find Edwards guilty, beyond a reasonable doubt, of first-degree statutory sodomy.

(3) The circuit court did not err in failing to *sua sponte* declare a mistrial for the State’s closing arguments. The evidence was sufficient for the jury to find Edwards guilty without these comments, and there was no reasonable probability that the verdict would have been different absent the remarks or that the comments had a decisive effect on the jury.

(4) The circuit court did not err in failing to *sua sponte* declare a mistrial for testimony that Edwards claimed improperly vouched for the victim’s credibility. The challenged testimony was rationally based on the witness’s perception of statements made to her, was helpful to a clear understanding of the witness’s testimony, and, in light of the jury’s ability to personally assess the victim’s credibility, was not prejudicial such that it spawned manifest injustice.

Opinion by James Edward Welsh, Judge

March 13, 2012

\* \* \* \* \*

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