



SCANNED

In the Missouri Court of Appeals Eastern District

STATE EX REL. JAMES WARD,) No. ED108108
PETITIONER,)
) Writ of Habeas Corpus
)
)
)
vs.)
)
)
TROY STEELE, RESPONDENT.)

ORDER

Relator has filed a Petition for Writ of Habeas Corpus along with Suggestions in Support and Exhibits.

Being duly advised in the premises, the Court hereby DENIES Relator's Petition for Writ of Habeas Corpus.

SO ORDERED.

DATE: August 27, 2019

Sherri B. Sullivan
Sherri B. Sullivan, Presiding Judge
Writ Division IV
Missouri Court of Appeals, Eastern District

[Appendix A]

cc: Troy Steele
James Ward
Caroline Coulter



In the Circuit Court
Of Washington County, Missouri
Division 3

JAMES WARD,

PETITIONER,

VS.

TROY STEELE,

RESPONDENT.

FILED		
O'clock	Minutes	M.
SEP 05 2013		
By <u>Patricia J. Boege</u>		

No.: 13WA-CC00167

JUDGMENT DISMISSING WRIT OF HABEAS CORPUS

Now on this 5th day of September, 2013, the Court, having reviewed the entire file herein, dismisses Petitioner's Writ of Habeas Corpus for the reasons set forth in Respondent's Responsive Pleadings. Cost assessed against the deposit.

SO ORDERED!

JUDGE TROY HYDE

Dated: 9/5/13

Appendix B

In the Supreme Court of Missouri

January Session, 2020

State ex rel. James Ward,

Petitioner,

No. SC98269 HABEAS CORPUS
Washington County Circuit Court No. 13WA-CC00167
Eastern District Court of Appeals No. ED108108

Troy Steele,

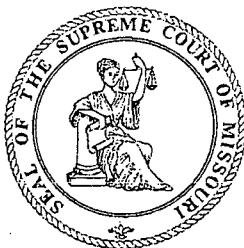
Respondent.

Now at this day, on consideration of the petition for a writ of habeas corpus herein to the said respondent, it is ordered by the Court here that the said petition be, and the same is hereby denied.

STATE OF MISSOURI-Sct.

I, BETSY AUBUCHON, Clerk of the Supreme Court of the State of Missouri, certify that the foregoing is a full, true and complete transcript of the judgment of said Supreme Court, entered of record at the January Session thereof, 2020, and on the 18th day of February, 2020, in the above-entitled cause.

WITNESS my hand and the Seal of the Supreme Court of Missouri, at my office in the City of Jefferson, this 18th day of February, 2020.



Betsy Aubuchon, Clerk

Troy S. Kraebel, Deputy Clerk

Appendix C



CIRCUIT ATTORNEY
CITY OF ST. LOUIS

DEE JOYCE-HAYES

MUNICIPAL COURTS BUILDING
1320 Market Street, Room 330
St. Louis, Missouri 63103
(314) 622-4941
FAX: (314) 622-3369

DAVE BIRDS

SPD

12-1-98

In re: State vs. James Wink

Court Number: 981-10804

Dear DAVE:

My records indicate that you received the following: State's Request for Disclosure; a copy of Information or Indictment;

- (X) Police Reports CN# 98003399; 98005491; 98009627; 98022070; 91075997;
- () Supp. Report # 97080728; 97075892;
- (X) Lab Report # 801123 (1-10-98); 801123 (3-10-98); 801123-1;
- (X) ETU Report # 983710;
- () Warning & Waiver # 98-9624; 98022070;
- (X) Line-up Form # 98-9624; 98022070;
- (X) Other ME REPORT 98-0649; ME INVESTIGATOR REPORT (SCHNUERL);
MARVIN OWENS TYPED STATEMENT; MONEY VOUCHERS

In addition the following is produced pursuant to your request for discovery: EMS NEW SHEET FOR MARVIN - WITNESS (4);

EMS NEW SHEET FOR PATRICK BENEFIELD (1); AUDIOTAPE STATEMENTS
OF MARVIN OWENS & SECRET WITNESS

The following may be available for inspection at your request:
(X) Photographs (X) Audiotapes () Videotape

Your client (X) has been (X) may be charged as a (X) prior (X) prior and persistent (X) minimum term () class X () prior drug () persistent drug offender.

The State's Recommendation is: 30 YEARS OR LIFE CONCURRENT.

Offer is good until 3-1-99.

(X) I have received no discovery from you.

Very truly yours,

JOHN T. BIRD, #37802
Assistant Circuit Attorney

Appendix D

JTB/cs

cc: Court file

12-1-98
ROOM 305
CLERK
P
Z
S
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
8010
8011
8012
8013
8014
8015
8016
8017
8018
8019
8020
8021
8022
8023
8024
8025
8026
8027
8028
8029
8030
8031
8032
8033
8034
8035
8036
8037
8038
8039
8040
8041
8042
8043
8044
8045
8046
8047
8048
8049
8050
8051
8052
8053
8054
8055
8056
8057
8058
8059
8060
8061
8062
8063
8064
8065
8066
8067
8068
8069
8070
8071
8072
8073
8074
8075
8076
8077
8078
8079
8080
8081
8082
8083
8084
8085
8086
8087
8088
8089
8090
8091
8092
8093
8094
8095
8096
8097
8098
8099
80100
80101
80102
80103
80104
80105
80106
80107
80108
80109
80110
80111
80112
80113
80114
80115
80116
80117
80118
80119
80120
80121
80122
80123
80124
80125
80126
80127
80128
80129
80130
80131
80132
80133
80134
80135
80136
80137
80138
80139
80140
80141
80142
80143
80144
80145
80146
80147
80148
80149
80150
80151
80152
80153
80154
80155
80156
80157
80158
80159
80160
80161
80162
80163
80164
80165
80166
80167
80168
80169
80170
80171
80172
80173
80174
80175
80176
80177
80178
80179
80180
80181
80182
80183
80184
80185
80186
80187
80188
80189
80190
80191
80192
80193
80194
80195
80196
80197
80198
80199
80200
80201
80202
80203
80204
80205
80206
80207
80208
80209
80210
80211
80212
80213
80214
80215
80216
80217
80218
80219
80220
80221
80222
80223
80224
80225
80226
80227
80228
80229
80230
80231
80232
80233
80234
80235
80236
80237
80238
80239
80240
80241
80242
80243
80244
80245
80246
80247
80248
80249
80250
80251
80252
80253
80254
80255
80256
80257
80258
80259
80260
80261
80262
80263
80264
80265
80266
80267
80268
80269
80270
80271
80272
80273
80274
80275
80276
80277
80278
80279
80280
80281
80282
80283
80284
80285
80286
80287
80288
80289
80290
80291
80292
80293
80294
80295
80296
80297
80298
80299
80300
80301
80302
80303
80304
80305
80306
80307
80308
80309
80310
80311
80312
80313
80314
80315
80316
80317
80318
80319
80320
80321
80322
80323
80324
80325
80326
80327
80328
80329
80330
80331
80332
80333
80334
80335
80336
80337
80338
80339
80340
80341
80342
80343
80344
80345
80346
80347
80348
80349
80350
80351
80352
80353
80354
80355
80356
80357
80358
80359
80360
80361
80362
80363
80364
80365
80366
80367
80368
80369
80370
80371
80372
80373
80374
80375
80376
80377
80378
80379
80380
80381
80382
80383
80384
80385
80386
80387
80388
80389
80390
80391
80392
80393
80394
80395
80396
80397
80398
80399
80400
80401
80402
80403
80404
80405
80406
80407
80408
80409
80410
80411
80412
80413
80414
80415
80416
80417
80418
80419
80420
80421
80422
80423
80424
80425
80426
80427
80428
80429
80430
80431
80432
80433
80434
80435
80436
80437
80438
80439
80440
80441
80442
80443
80444
80445
80446
80447
80448
80449
80450
80451
80452
80453
80454
80455
80456
80457
80458
80459
80460
80461
80462
80463
80464
80465
80466
80467
80468
80469
80470
80471
80472
80473
80474
80475
80476
80477
80478
80479
80480
80481
80482
80483
80484
80485
80486
80487
80488
80489
80490
80491
80492
80493
80494
80495
80496
80497
80498
80499
80500
80501
80502
80503
80504
80505
80506
80507
80508
80509
80510
80511
80512
80513
80514
80515
80516
80517
80518
80519
80520
80521
80522
80523
80524
80525
80526
80527
80528
80529
80530
80531
80532
80533
80534
80535
80536
80537
80538
80539
80540
80541
80542
80543
80544
80545
80546
80547
80548
80549
80550
80551
80552
80553
80554
80555
80556
80557
80558
80559
80560
80561
80562
80563
80564
80565
80566
80567
80568
80569
80570
80571
80572
80573
80574
80575
80576
80577
80578
80579
80580
80581
80582
80583
80584
80585
80586
80587
80588
80589
80590
80591
80592
80593
80594
80595
80596
80597
80598
80599
80600
80601
80602
80603
80604
80605
80606
80607
80608
80609
80610
80611
80612
80613
80614
80615
80616
80617
80618
80619
80620
80621
80622
80623
80624
80625
80626
80627
80628
80629
80630
80631
80632
80633
80634
80635
80636
80637
80638
80639
80640
80641
80642
80643
80644
80645
80646
80647
80648
80649
80650
80651
80652
80653
80654
80655
80656
80657
80658
80659
80660
80661
80662
80663
80664
80665
80666
80667
80668
80669
80670
80671
80672
80673
80674
80675
80676
80677
80678
80679
80680
80681
80682
80683
80684
80685
80686
80687
80688
80689
80690
80691
80692
80693
80694
80695
80696
80697
80698
80699
80700
80701
80702
80703
80704
80705
80706
80707
80708
80709
80710
80711
80712
80713
80714
80715
80716
80717
80718
80719
80720
80721
80722
80723
80724
80725
80726
80727
80728
80729
80730
80731
80732
80733
80734
80735
80736
80737
80738
80739
80740
80741
80742
80743
80744
80745
80746
80747
80748
80749
80750
80751
80752
80753
80754
80755
80756
80757
80758
80759
80760
80761
80762
80763
80764
80765
80766
80767
80768
80769
80770
80771
80772
80773
80774
80775
80776
80777
80778
80779
80780
80781
80782
80783
80784
80785
80786
80787
80788
80789
80790
80791
80792
80793
80794
80795
80796
80797
80798
80799
80800
80801
80802
80803
80804
80805
80806
80807
80808
80809
80810
80811
80812
80813
80814
80815
80816
80817
80818
80819
80820
80821
80822
80823
80824
80825
80826
80827
80828
80829
80830
80831
80832
80833
80834
80835
80836
80837
80838
80839
80840
80841
80842
80843
80844
80845
80846
80847
80848
80849
80850
80851
80852
80853
80854<br

AUTHORIZATION FOR RELEASE OF ATTORNEY CASE FILES

I, James Ward, Social Security Number 494-68-5770, Date of Birth 04/18/59, hereby Authorize the Central PCR Division of the Missouri State Public Defenders System to Release the following Attorney Case Files and/or any files maintained in their custody to me;

State v James Ward #981-1030A
State v James Ward #ED76557
State v James Ward #ED79874
James Ward v State #4092 (PCR)
James Ward v Roper #4;02CV-1541
James Ward v Roper #06-1872 (8th Cir)

I understand that the above-referenced file(s) is the original file and that no copy will be retained by the Public Defender System. I accept the responsibility for the safe-keeping of this file(s).

03/08/11

Date

James Ward
James Ward

Subscribed and Sworn before me, a Notary Public, on this 8th day of March, 2011.

Comm. Expires



(Appendix E)

FILED
JUL 16 1999

MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
(ST. LOUIS CITY)

EXHIBIT-B
1 of 4

STATE OF MISSOURI
PLAINTIFF
VS.

James Ward
DEFENDANT
D.O.B. 4-18-59
SOCIAL SECURITY # 494-68-5770

CAUSE NO. 781-10301A
DIVISION 1 CIRCUIT NUMBER 19
O.C.N. N/A ASSOCIATE NUMBER

MARIANO A. FAVARIZZA
CLERK, CIRCUIT COURT
BY Me DEPUTY

SENTENCE AND JUDGMENT

PRE-SENTENCE:	<input type="checkbox"/> ORDERED	<input type="checkbox"/> WAIVED	CIRCUIT ATTORNEY BAR # <u>37302</u>	ATTORNEY: <u>John Bind</u>
<u>7/8/99</u>		SENTENCE DATE	DEFENSE ATTORNEY BAR # <u>38665</u>	ATTORNEY: <u>David Baum</u>

COUNT NO. <u>I</u>	COUNT NO. <u>II</u>	COUNT NO. <u>III</u>
CHARGE <u>4 UNDER 151</u> <u>DESIRO</u>	CHARGE <u>ARMED CRIMINAL</u> <u>ACTIV</u>	CHARGE <u>ASSAULT 151</u>
OFFENSE DATE <u>1/7/98</u>	OFFENSE DATE <u>1/7/98</u>	OFFENSE DATE <u>1/7/98</u>
<input type="checkbox"/> MISDEMEANOR <input checked="" type="checkbox"/> FELONY	<input type="checkbox"/> MISDEMEANOR <input checked="" type="checkbox"/> FELONY	<input type="checkbox"/> MISDEMEANOR <input checked="" type="checkbox"/> FELONY
CLASS: <u>A</u> <u>B</u> <u>C</u> <u>D</u> <u> </u>	CLASS: <u>A</u> <u>B</u> <u>C</u> <u>D</u> <u>UNCLASS</u>	CLASS: <u>A</u> <u>B</u> <u>C</u> <u>D</u> <u>UNCLASS</u>
On <u>5/21/99</u> in the above count, it is adjudged that the defendant has been:	On <u>5/21/99</u> in the above count, it is adjudged that the defendant has been:	On <u>5/21/99</u> in the above count, it is adjudged that the defendant has been:
<input type="checkbox"/> Found guilty upon a plea of guilty	<input type="checkbox"/> Found guilty upon a plea of guilty	<input type="checkbox"/> Found guilty upon a plea of guilty
<input checked="" type="checkbox"/> Found guilty by a Jury/Court	<input checked="" type="checkbox"/> Found guilty by a Jury/Court	<input checked="" type="checkbox"/> Found guilty by a Jury/Court

THE COURT FINDS BEYOND A REASONABLE DOUBT THAT THE DEFENDANT IS A:

<input type="checkbox"/> Persistent sexual offender (558.018 RSMO)	<input type="checkbox"/> Prior Offender (558.016 RSMO)	<input type="checkbox"/> Dangerous Offender (558.016 RSMO)
<input type="checkbox"/> Prior Drug Offender (195.295 and 195.266 RSMO)	<input type="checkbox"/> Persistent Offender (588.016 RSMO)	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Persistent Drug Offender (195.295 RSMO)	<input type="checkbox"/> Class X Offender (558.019 RSMO)	<input type="checkbox"/> _____
<input type="checkbox"/> The court further finds beyond a reasonable doubt that as a basis for such determination the Defendant has previously been convicted of the following:		

Defendant has been advised of his/her rights under Rule 24.035(29.15) and the Court has found **Appendix F**
pgs. 1 - 4

Probable Cause No Probable Cause to believe that defendant has received ineffective assistance of counsel.

The Court informs the Defendant of verdict / finding. Asks the Defendant whether he/she has anything to say why judgment should not be pronounced, and finds that no sufficient cause to the contrary has been shown or appears to the Court.

101

On Count I the Court:
Sentences and commits the Defendant to the custody of MDC
for a period of 1 LIFE without PAROLE. Sentence to be served:
 CONCURRENT CONSECUTIVE WITH _____

Suspends Execution of Sentence. Defendant is placed on probation for a period of _____
under the supervision of _____
based on the conditions set forth in the order of probation.

Suspends Imposition of Sentence. Defendant is placed on probation for a period of _____
under the supervision of _____
based on the condition set forth in the order of probation.

Fines the Defendant \$ _____. The Court stays \$ _____ with the remainder due
by _____

On Count II the Court:
Sentences and commits the Defendant to the custody of MDC
for a period of 30 YEARS. Sentence to be served:
 CONCURRENT CONSECUTIVE WITH _____

Court I

Suspends Execution of Sentence. Defendant is placed on probation for a period of _____
under the supervision of _____
based on the conditions set forth in the order of probation.

Suspends Imposition of Sentence. Defendant is placed on probation for a period of _____
under the supervision of _____
based on the condition set forth in the order of probation.

Fines the Defendant \$ _____. The Court stays \$ _____ with the remainder due
by _____

On Count III the Court:
Sentences and commits the Defendant to the custody of MDC
for a period of 15 YEARS. Sentence to be served:
 CONCURRENT CONSECUTIVE WITH _____

Court I + II

Suspends Execution of Sentence. Defendant is placed on probation for a period of _____
under the supervision of _____
based on the conditions set forth in the order of probation.

Suspends Imposition of Sentence. Defendant is placed on probation for a period of _____
under the supervision of _____
based on the condition set forth in the order of probation.

Fines the Defendant \$ _____. The Court stays \$ _____ with the remainder due
by _____

SUPPLEMENTAL SENTENCE AND JUDGMENT FORM

COUNT NO. IVCHARGE ARMED CRIMINALACT 10OFFENSE DATE 1/7/98 MISDEMEANOR FELONYCLASS: A B C D UNCLASSOn 5/21/99 in the above count, it is adjudged that the defendant has been:

Found guilty upon a plea of guilty
 Found guilty by a Jury/Court

COUNT NO. _____

CHARGE _____

OFFENSE DATE _____

 MISDEMEANOR FELONY

CLASS: A B C D UNCLASS

On _____ in the above count, it is adjudged that the defendant has been:

Found guilty upon a plea of guilty
 Found guilty by a Jury/Court

 On Count IV the Court:**Sentences and commits the Defendant to the custody of DOC**for a period of 15 YEARS Sentence to be served: CONCURRENT CONSECUTIVE WITHCourt III **Suspends Execution of Sentence.** Defendant is placed on probation for a period of _____ under the supervision of _____

based on the conditions set forth in the order of probation.

 Suspends Imposition of Sentence. Defendant is placed on probation for a period of _____ under the supervision of _____

based on the condition set forth in the order of probation.

 Fines the Defendant \$ _____. The Court stays \$ _____ with the remainder due by _____ On Count _____ the Court:**Sentences and commits the Defendant to the custody of _____**

for a period of _____ Sentence to be served:

 CONCURRENT CONSECUTIVE WITH _____ **Suspends Execution of Sentence.** Defendant is placed on probation for a period of _____ under the supervision of _____

based on the conditions set forth in the order of probation.

 Suspends Imposition of Sentence. Defendant is placed on probation for a period of _____ under the supervision of _____

based on the condition set forth in the order of probation.

 Fines the Defendant \$ _____. The Court stays \$ _____ with the remainder due by _____

THE COURT FURTHER ORDERS:

That judgment is entered in favor of the State of Missouri Crime Victim Compensation against the Defendant for the sum of \$ 68.00

Costs taxes against Defendant

Costs waived

Amounts due are payable through the Office of Probation and Parole

Restitution Ordered: _____

The following special conditions of probation: _____

Jail time allowed

Other, see attached.

217.785 RSMO Missouri Post Conviction Drug Treatment Program

Non-institutional

Institutional

217.362 RSMO. Long term treatment program for cocaine dependents

217.378 RSMO. Regimented discipline program

217.777 RSMO. Community corrections program for intensive supervision

The clerk to deliver a certified copy of the judgment and commitment to the Sheriff.

DEFENDANT

CIRCUIT ATTORNEY

SO ORDERED: JUDGE

COURT REPORTER

BAR # 23161

DATE

7/8/99Danila Burns

DEFENSE ATTORNEY

ISSUED ON 7-8-99 DATEMariano V. FavazzaTHOMAS R. THOMPSON

CIRCUIT CLERK

BY: M. S. Balaji

DEPUTY CLERK

Received M. S. Balaji

5-209

DEPUTY SHERIFF

Date: 7-8-99104

22981-01030A ST V JAMES H WARD Security Level: 1 Public

Case Type:	CC Felony	Case Filing Date:	24-Mar-1998
Status:	Warrant Recalled/Withdrawn		
Disposition:	Jury Verdict - Guilty	Disposition Date:	21-May-1999
OCN#:	Not on File		
Arresting Agency:	MOSPD0034		
Related Case(s):	1522-CC11162 2201P-04092 22981-01030B	JAMES H WARD VS STATE OF MISSOURI JAMES H WARD V STATE OF MISSOURI ST V JEROME OWENS	

		Release/Status Change Date	Reason
Judge	TIMOTHY J WILSON (23161)		
Defendant	JAMES H WARD (WARJH5770)		
Circuit Attorney	JOHN TIMOTHY BIRD (37802)		
Special Public Defender	DAVID A BRUNS (38665)		

Current Bond: Bond Set ; 07-Apr-1998

	Charge #	Charge Date	Charge Code	Charge Description
Original Charge:	1	07-Jan-1998	1002100	Murder 1st Degree (Felony A RSMo: 565.020)
Text:	PR AND PER OFFENDER			
Disposition:	21-May-1999	Jury Verdict-Guilty		
<u>Order Date:</u>	08-Jul-1999	Sentence or SIS :		Incarceration DOC
Length :	LIFE WITHOUT PAROLE	Start Date :		08-Jul-1999
Original Charge:	2	07-Jan-1998	3101000	Armed Criminal Action (Felony Unclassified RSMo: 571.015)
Text :	PRIOR OFFENDER			
Disposition:	21-May-1999	Jury Verdict-Guilty		
<u>Order Date:</u>	08-Jul-1999	Sentence or SIS :		Incarceration DOC
Length :	30 Years	Start Date :		08-Jul-1999
Text :	MISSOURI DEPT. OF CORRECTIONS			
Conc/Cons :	CONCURRENT WITH 981-0001030A CT-01			
Original Charge:	3	07-Jan-1998	1302000	Assault - 1st Degree (Felony B RSMo: 565.050)
Text :	PRIOR OFFENDER			
Disposition:	21-May-1999	Jury Verdict-Guilty		
<u>Order Date:</u>	08-Jul-1999	Sentence or SIS :		Incarceration DOC
Length :	15 Years	Start Date :		08-Jul-1999
Text :	MISSOURI DEPT. OF CORRECTIONS			
Original Charge:	4	07-Jan-1998	3101000	Armed Criminal Action (Felony Unclassified RSMo: 571.015)
Text :	PRIOR OFFENDER			
Disposition:	21-May-1999	Jury Verdict-Guilty		
<u>Order Date:</u>	08-Jul-1999	Sentence or SIS :		Incarceration DOC
Length :	15 Years	Start Date :		08-Jul-1999
Text :	MISSOURI DEPT. OF CORRECTIONS			
Conc/Cons :	CONCURRENT WITH 981-0001030A CT-02 AND CT-03			

Filing Date

Description

24-Mar-1998

Grand Jury Indictment Filed

INDICTMENT FILED, CASE ASSIGNED TO DIV 25 WARRANT ISSUED, GIVEN TO SHERIFF

Appendix G
pgs. 1 - 7

Case continued from previous page.

22981-01030A ST V JAMES H WARD Security Level: 1 Public

24-Mar-1998 Filing:
BOND SET; NO BOND ALLOWED

07-Apr-1998 Entry of Appearance Filed
DAVID A. BRUNS (SD) ENTERS APPEARANCE FOR DEFT

Bond Set
BOND SET; \$250,000.00 SECURED JUDGE STEVEN R. OHMER, DIV 25

Entry of Appearance Filed
RACHEL A. SMITH (CA) ENTERS APPEARANCE FOR STATE OF MISSOURI

Arraignment Held
DEFENDANT ARRAIGNED, CASE ASSIGNED TO DIV 16 JUDGE STEVEN R. OHMER

Hearing Scheduled
CASE SET FOR INITIAL APPEARANCE 05/04/98 09:30AM DIV 16 JUDGE STEVEN R. OHMER, DIV 25

15-Apr-1998 Filing:
LETTER FILED FROM DAVID BRUNS, ASPD.

06-May-1998 Hearing Scheduled
CONTINUED BY DEFENDANT 06/01/98 09:30AM DIV 16 JUDGE MARGARET M. NEILL, DIV 16

01-Jun-1998 Order Withdrawing Attorney:
RACHEL A. SMITH (CA) WITHDRAWS AS ATTORNEY FOR STATE OF MISSOURI

Entry of Appearance Filed
PHILIPPA E. BARRETT (CA) ENTERS APPEARANCE FOR STATE OF MISSOURI

04-Jun-1998 Hearing Scheduled
CONTINUED BY DEFENDANT 07/27/98 09:30AM DIV 16 JUDGE MARGARET M. NEILL, DIV 16

25-Jun-1998 Filing:
LETTER FILED FROM PHILIPPA BATRETT, ASST. CIRCUIT ATTORNEY

08-Jul-1998 Filing:
LETTER FILED

29-Jul-1998 Order Withdrawing Attorney:
PHILIPPA E. BARRETT (CA) WITHDRAWS AS ATTORNEY FOR STATE OF MISSOURI

Entry of Appearance Filed
JOHN T. BIRD (CA) ENTERS APPEARANCE FOR STATE OF MISSOURI

30-Jul-1998 Hearing Scheduled
CONTINUED BY DEFENDANT 08/10/98 09:30AM DIV 16 JUDGE MARGARET M. NEILL, DIV 16

13-Aug-1998 Hearing Scheduled
CONTINUED FOR WANT OF TIME BY DEFENDANT 10/13/98 09:30AM DIV 16 JUDGE MARGARET M. NEILL, DIV 16

14-Sep-1998 Standard Discovery Filed
DISCOVERY NOTICE FILED.

15-Oct-1998 Hearing Scheduled
CONTINUED BY STATE 11/09/98 09:30AM DIV 16 JUDGE MARGARET M. NEILL, DIV 16

12-Nov-1998 Hearing Scheduled
CONTINUED BY DEFENDANT 11/30/98 09:30AM DIV 16 JUDGE MARGARET M. NEILL, DIV 16

01-Dec-1998 Substitute Information Filed
SUBSTITUTE INFORMATION IN LIEU OF INDICTMENT FILED CHARGING DEFENDANT WITH PRIOR & PERSISTENT OFFENDER

Filing:
CT-01, MURDER 1ST DEGREE - PRIOR OFFENDER, (F) AMENDED TO MURDER 1ST DEGREE - PR AND PER OFFENDER, (F)

Standard Discovery Filed
DISCOVERY NOTICE FILED.

03-Dec-1998 Hearing Scheduled
CONTINUED BY STATE 01/04/99 09:30AM DIV 16 JUDGE MARGARET M. NEILL, DIV 16

Motion to Suppress
MOTION TO SUPPRESS EVIDENCE FILED BY DEFENDANT

Case continued from previous page.

22981-01030A ST V JAMES H WARD

Security Level: 1 Public

03-Dec-1998 **Motion to Suppress**
MOTION TO SUPPRESS IDENTIFICATION FILED BY DEFENDANT

Motion to Sever Case
MOTION TO SEVER DEFENDANTS FILED BY DEFENDANT

Filing:
LETTER FROM DAVID BRUNS, FILED.

17-Dec-1998 **Motion to Suppress**
MOTION TO SUPPRESS STATEMENTS FILED BY DEFENDANT

24-Dec-1998 **Filing:**
LETTER FILED

07-Jan-1999 **Hearing Scheduled**
CONTINUED FOR WANT OF TIME BY COURT 02/01/99 09:30AM DIV 16 JUDGE THOMAS C. GRADY, DIV 16

22-Jan-1999 **Filing:**
NOTICE OF DEPOSITION FILED.

04-Feb-1999 **Hearing Scheduled**
CONTINUED BY DEFENDANT 03/15/99 09:30AM DIV 16 JUDGE THOMAS C. GRADY, DIV 16

05-Feb-1999 **Motion for Habeas Corpus-TES**
WRIT OF HABEAS CORPUS AD TESTIFICANDUM RECEIVED AND FILED. WRIT RETURNABLE FEBRUARY 8TH 1999, AT 9:00 A.M. IN DIVISION 25, COPY SENT TO ST. LOUIS COUNTY JAIL BY CERTIFIED MAIL.

08-Feb-1999 **Affidavit Filed**
AFFIDAVIT FILED.

18-Mar-1999 **Hearing Scheduled**
CONTINUED FOR WANT OF TIME BY STATE 05/17/99 09:30AM DIV 16 JUDGE THOMAS C. GRADY, DIV 16

06-May-1999 **Motion for Habeas Corpus-TES**
WRIT OF HABEAS CORPUS AD TESTIFICANDUM RECEIVED AND FILED. WRIT RETURNABLE MAY 17TH 1999, AT 9:00 A.M. IN DIVISION 16, COPY SENT TO FULTON RECEPTION/DIAGNOSTIC CENTER BY CERTIFIED MAIL.

List of Witnesses
ENDORSEMENT OF WITNESSES BY DEFENDANT FILED

17-May-1999 **Transfer Filed**
CAUSE ASSIGNED TO DIVISION 19 FOR FURTHER PROCEEDINGS.

Transfer Filed
CAUSE ASSIGNED TO DIVISION 24 FOR FURTHER PROCEEDINGS.

Filing:
DEPOSITIONS 2 FILED

Filing:
JURY TRIAL. STATE BY ASSISTANT CIRCUIT ATTORNEY JOHN BIRD DEFENDANT IN PERSON AND BY ATTORNEY DAVID BRUNS THE COURT ORDERS COURT REPORTER TO TAKE NOTES TO PRESERVE THE EVIDENCE.

Jurors Sworn In
PANEL OF 66 JURORS CALLED. MAI-CR 300.02 INSTRUCTION PARTIALLY READ TO PANEL.
JURY PANEL SWORN. MAI-CR 300.02 INSTRUCTION COMPLETED.

Voir Dire Began-Jury Not Sworn
EXAMINATION OF JURY PANEL ON VOIR DIRE BEGUN NOT CONCLUDED

Filing:
RECESS CALLED. MAI-CR INSTRUCTION 300.04.1 READ.

Voir Dire Began-Jury Not Sworn
EXAMINATION OF JURY PANEL ON VOIR DIRE CONTINUES NOT CONCLUDED

Filing:
RECESS CALLED MAI-CR INSTRUCTION 300.04.2 READ. COURT ADJOURNED UNTIL TUES., MAY 18, 1999 AT 9 AM IN DIV. 19 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

18-May-1999 **Jury Trial Conducted**

Case continued from previous page.

22981-01030A

ST V JAMES H WARD

Security Level: 1 Public

JURY TRIAL RESUMES. STATE APPEARS BY ASSISTANT CIRCUIT ATTORNEY JOHN BIRD
DEFENDANT APPEARS IN PERSON AND BY ATTORNEY DAVID BRUNS

Voir Dire Began-Jury Not Sworn

EXAMINATION OF JURY PANEL ON VOIR DIRE CONTINUES NOT CONCLUDED

Filing:

RECESS CALLED. MAI-CR INSTRUCTION 300.04.2 READ.

Voir Dire Began-Jury Not Sworn

EXAMINATION OF JURY PANEL ON VOIR DIRE CONTINUES CONCLUDED

Filing:

RECESS CALLED. MAI-CR INSTRUCTION 300.04.2 READ.

Filing:

JURY OF 12 AND 3 ALTERNATES SELECTED NOT SWORN

Filing:

RECESS CALLED. MAI-CR INSTRUCTION 300.04.2 READ.

Filing:

JURY OF 12 AND 3 ALTERNATES SWORN.

Filing:

MAI-CR 3D INSTRUCTION NUMBERS #300.06, 302.01 AND. 302.02 READ TO JURY.

Filing:

OPENING STATEMENTS MADE BY STATE AND DEFENDANT.

Filing:

TESTIMONY OF STATE'S WITNESSES BEGUN NOT CONCLUDED

Filing:

RECESS CALLED MAI-CR INSTRUCTION 300.04.2 READ. COURT ADJOURNED UNTIL WED., MAY 19, 1999 AT 9 AM IN DIV. 19 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

19-May-1999

Jury Trial Conducted

JURY TRIAL RESUMES. STATE APPEARS BY ASSISTANT CIRCUIT ATTORNEY JOHN BIRD
DEFENDANT APPEARS IN PERSON AND BY ATTORNEY DAVID BRUNS

Jury Trial Conducted

TESTIMONY OF STATE'S WITNESSES CONTINUES NOT CONCLUDED

Filing:

RECESS CALLED. MAI-CR INSTRUCTION 300.04.2 READ.

Jury Trial Conducted

TESTIMONY OF STATE'S WITNESSES CONTINUES NOT CONCLUDED

Filing:

RECESS CALLED. MAI-CR INSTRUCTION 300.04.2 READ.

Jury Trial Conducted

TESTIMONY OF STATE'S WITNESSES CONTINUES NOT CONCLUDED

Jury Trial Conducted

TESTIMONY OF STATE'S WITNESSES CONTINUES NOT CONCLUDED

Filing:

RECESS CALLED. MAI-CR INSTRUCTION 300.04.2 READ.

Jury Trial Conducted

TESTIMONY OF STATE'S WITNESSES CONTINUES NOT CONCLUDED

Filing:

RECESS CALLED. MAI-CR INSTRUCTION 300.04.2 READ.

Filing:

COURT IS ADJOURNED UNTIL THURS., MAY 20, 1999 AT 9AM IN DIV. 19 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

20-May-1999

Jury Trial Conducted

JURY TRIAL RESUMES. STATE APPEARS BY ASSISTANT CIRCUIT ATTORNEY JOHN BIRD
DEFENDANT APPEARS IN PERSON AND BY ATTORNEY DAVID BRUNS

Jury Trial Conducted

Case continued from previous page.

22981-01030A

ST V JAMES H WARD

Security Level: 1 Public

TESTIMONY OF STATE'S WITNESSES CONTINUES CONCLUDED

Filing:

STATE RESTS.

Motion Filed

AT THE CLOSE OF THE STATE CASE DEFENDANT MAKES ORAL MOTION FOR JUDGMENT OF ACQUITTAL. MOTION HEARD AND DENIED

Judge/Clerk - Note

DEFENSE RESTS.

Motion Filed

AT THE CLOSE OF THE ENTIRE CASE DEFENDANT MAKES ORAL MOTION FOR JUDGMENT OF ACQUITTAL. MOTION HEARD AND DENIED

Filing:

JURY VIEWS EXHIBITS .

Filing:

EVIDENCE HAVING BEEN ADDUCED, THE COURT FINDS BEYOND A REASONABLE DOUBT, THAT THE DEFENDANT IS A PRIOR AND PERSISTENT OFFENDER

Filing:

INSTRUCTIONS READ. ARGUMENTS MADE BY COUNSELS FOR STATE AND DEFENDANT. SHERIFF'S SWORN.

Filing:

JURY RETIRES TO DELIBERATE AT 3:15 PM

Order for Discharge

ALTERNATE JURORS DISCHARGED.

Questions to Judge from Jury

QUESTION FROM THE JURY AT 4:15 PM RECEIVED AND ANSWERED BY THE COURT.

Filing:

JURY RETURNED TO THE COURTROOM BY THE COURT.

Jury Instructions Filed

OVERNIGHT INSTRUCTION PURSUANT TO 494.495RSMO. READ TO THE JURY.

Filing:

COURT IS ADJOURNED UNTIL FRI, MAY 21, 1999 AT 9 AM IN DIV. 19 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

21-May-1999

Jury Trial Conducted

JURY TRIAL RESUMES. STATE APPEARS BY ASSISTANT CIRCUIT ATTORNEY JOHN BIRD DEFENDANT APPEARS IN PERSON AND BY ATTORNEY DAVID BRUNS

Filing:

AT 9:30 AM JURY DELIBERATIONS RESUMED.

Filing:

AT 5:05 PM JURY RETURNS A VERDICT AS FOLLOWS:

Filing:

DEFT APPEARS REPRESENTED BY COUNSEL DAVID A. BRUNS STATE OF MISSOURI APPEARS REPRESENTED BY COUNSEL JOHN T. BIRD

Order

CT-01, MURDER 1ST DEGREE - PR AND PER OFFENDER, (F). JURY FINDS THE DEFT GUILTY; TRIAL DAYS: 5 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Order

CT-02, ARMED CRIMINAL ACTION - PRIOR OFFENDER, (F). JURY FINDS THE DEFT GUILTY; TRIAL DAYS: 5 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Order

CT-03, ASSAULT 1ST DEG - PRIOR OFFENDER, (F). JURY FINDS THE DEFT GUILTY; TRIAL DAYS: 5 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Order

CT-04, ARMED CRIMINAL ACTION - PRIOR OFFENDER, (F). JURY FINDS THE DEFT GUILTY; TRIAL DAYS: 5 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Sentencing Hearing Scheduled

Case continued from previous page.

22981-01030A

ST V JAMES H WARD

Security Level: 1 Public

CONTINUED FOR SENTENCING BY COURT 07/08/99 02:00PM DIV 19 JUDGE TIMOTHY J. WILSON, DIV 19

Filing:

VERDICT FORMS RECEIVED AND FILED.

Order for Discharge

JURY POLLED. JURY DISCHARGED.

Order Granting Ext of Time

DEFENDANT GRANTED 10 ADDITIONAL DAYS TO FILE MOTION FOR NEW TRIAL.

Filing:

COPY OF FOOD BILLS FILED.

Filing:

QUESTIONS FILED.

Filing:

INSTRUCTIONS FILED.

Filing:

JURY PANEL LIST AND JURY LIST FILED.

Filing:

WITNESS LIST FILED.

Commitment Order

DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF. JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Jury Verdict - Guilty

JURY FINDS THE DEFENDANT GUILTY

Judgment CVC Entered

Judgement Against: JAMES H WARD; Amount: \$68.00; Satisfied Date:

08-Jun-1999

Motion for Acquittal

MOTION FOR JUDGMENT OF ACQUITTAL OR IN THE ALTERNATIVE, FOR A NEW TRIAL. FILED

10-Jun-1999

Motion for New Trial

SUPPLEMENTAL MOTION FOR NEW TRIAL OR IN THE ALTERNATIVE, MOTION FOR ACQUITTAL FILED

08-Jul-1999

Motion Denied

MOTION FOR JUDGMENT OF ACQUITTAL OR IN THE ALTERNATIVE, FOR A NEW TRIAL. DENIED JUDGE TIMOTHY J. WILSON, DIV 19

Defendant Sentenced

IN ACCORDANCE WITH THE JURY'S VERDICT ENTERED ON MAY 21, 1999 ALLOCUTION IS GRANTED AND DEFENDANT IS SENTENCED AS FOLLOWS:

Filing:

DEFENDANT APPEARS REPRESENTED BY COUNSEL DAVID A. BRUNS STATE OF MISSOURI APPEARS REPRESENTED BY COUNSEL JOHN T. BIRD

Defendant Sentenced

DEFENDANT SENTENCED ON CT-01 TO LIFE WITHOUT PAROLE IN THE CUSTODY OF MISSOURI DEPT. OF CORRECTIONS JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Order

JAIL TIME ALLOWED. JUDGE TIMOTHY J. WILSON, DIV 19

Defendant Sentenced

DEFENDANT SENTENCED ON CT-02 TO SERVE 30 YEARS IN THE CUSTODY OF MISSOURI DEPT. OF CORRECTIONS SENTENCE TO RUN CONCURRENT WITH CT-01 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Order

JAIL TIME ALLOWED. JUDGE TIMOTHY J. WILSON, DIV 19

Defendant Sentenced

DEFENDANT SENTENCED ON CT-03 TO SERVE 15 YEARS IN THE CUSTODY OF MISSOURI DEPT. OF CORRECTIONS SENTENCE TO RUN CONSECUTIVE WITH CT-01 AND CT-02 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Order

JAIL TIME ALLOWED. JUDGE TIMOTHY J. WILSON, DIV 19

Case continued from previous page.

22981-01030A ST V JAMES H WARD**Security Level: 1 Public**

08-Jul-1999 **Defendant Sentenced**
 DEFT SENTENCED ON CT-04 TO SERVE 15 YEARS IN THE CUSTODY OF MISSOURI DEPT. OF CORRECTIONS SENTENCE TO RUN CONCURRENT WITH CT-02 AND CT-03 JUDGE TIMOTHY J. WILSON, DIV 19 COURT REPORTER: RITA DEFILIO

Order
 JAIL TIME ALLOWED. JUDGE TIMOTHY J. WILSON, DIV 19

Filing:
 CONVICTION AFTER TRIAL JUDGE TIMOTHY J. WILSON, DIV 19

Costs Ordered to Def
 COURT COSTS ORDERED, CVC JUDGMENT \$68.00 ORDERED JUDGE TIMOTHY J. WILSON, DIV 19

19-Jul-1999 **Filing:**
 MOTION TO PROCEED IN FORMA PAUPERIS FILED FILED. JUDGE TIMOTHY J. WILSON, DIV 19

Notice of Appeal Filed
 NOTICE OF APPEAL TO THE MISSOURI COURT OF APPEALS EASTERN DISTRICT FILED IN FORMA PAUPERIS.

Filing:
 CRIMINAL CASE INFORMATION FORM FILED

Filing:
 CASE INFORMATION FILED.

Filing:
 BRIEF DESCRIPTION OF CASE FILED.

Filing:
 BOND SET; NO BOND SET JUDGE TIMOTHY J. WILSON, DIV 19

28-Jul-1999 **Notice of Appeal Filed**
 COPY OF NOTICE OF APPEAL MOTION TO PROCEED IN FORMA PAUPERIS, CASE INFORMATION, BRIEF DESCRIPTION OF CASE AND SENTENCE AND JUDGMENT SENT TO THE MISSOURI COURT OF APPEALS EASTERN DISTRICT AND THE ATTORNEY GENERALS OFFICE BY CERTIFIED MAIL (P 251-490-979 & P 251-490-980) AND SERVED ON THE CIRCUIT ATTORNEYS OFFICE.

03-Aug-1999 **Ackn Notice of Appeal Filed**
 LETTER OF ACKNOWLEDGMENT FROM THE MISSOURI COURT OF APPEALS FILED

25-Aug-1999 **Filing:**
 LETTER REQUESTING LEGAL FILE FROM DAVE HEMINGWAY, APPELLATE PUBLIC DENFEN. FILED

06-Sep-1999 **Filing:**
 CERTIFIED COPY OF LEGAL FILE PREPARED/SEE FILE

17-Nov-1999 **Appeal Filed**
 TRANSCRIPT ON APPEAL FILED VOLUME #1

09-Jan-2001 **Mandate from MO Ct of Appeals**
 JUDGMENT AFFIRMED PER MANDATE AND ORDER OF THE MISSOURI COURT OF APPEALS FILED.

13-Feb-2001 **Motion Filed**
 POST CONVICTION RELIEF MOTION UNDER SUPREME COURT RULE 29.15 FILED.

10-Aug-2005 **Warrant Recalled/Withdrawn**
 WARRANT RECALLED

Warrant Recalled/Withdrawn
 COURT WARRANT RECALL FAILED.

24-Mar-2010 **Offender Mail Received**
 Letter from the defendant requesting statements made by co-defendant, statements made by witnesses, detective reports, DNA matches from the crime scene and all fingerprint analysis. Sent to Judge Wilson and the Circuit Attorney Office.

23-Nov-2015 **Filing:**
 Post Conviction Relief motion under Supreme Court Rule 29.15 filed. PCR 1522-CC11162

Offender Mail Received
 Motion to vacate, set aside or correct the judgment or sentence. Forwarded to certified copy to process.