

Supreme Court of Missouri

en banc

SC98785

ED107728

September Session, 2020

Aaron J. LaRose,
Appellant,

vs. (TRANSFER)

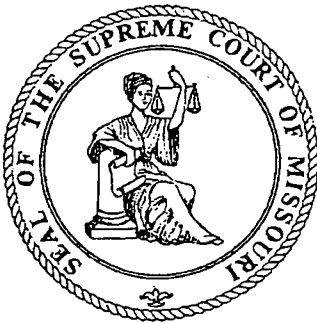
State of Missouri,
Respondent.

FILED
DEC 22 2020
LAURA ROY
CLERK, MISSOURI COURT OF APPEALS
EASTERN DISTRICT

Now at this day, on consideration of the Appellant's application to transfer the above-entitled cause from the Missouri Court of Appeals, Eastern District, it is ordered that the said application 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 September Session, 2020, and on the 22nd day of December, 2020, in the above-entitled cause.



IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said Court, at my office in the City of Jefferson, this 22nd day of December, 2020.

Betsy AuBuchon, Clerk

Christina Lane, Deputy Clerk

Appendix A



**CLERK OF THE SUPREME COURT
STATE OF MISSOURI
POST OFFICE BOX 150
JEFFERSON CITY, MISSOURI
65102**

BETSY AUBUCHON
CLERK

TELEPHONE
(573) 751-4144

November 10, 2020

Mr. Aaron LaRose
#1223972
E.R.D.C.C.
2727 Hwy K
Bonne Terre, MO 63628

In Re: Notice and Pro Se Supplemental Application for Transfer cover sheet and Pro Se Supplemental Application for Transfer

Dear Mr. LaRose:

The documents referenced above were received on November 9, 2020. I have returned the documents to you with this letter. The Court does not permit pro se filings on a case where you are represented by counsel.

Very truly yours,

BETSY AUBUCHON

A handwritten signature in cursive script, appearing to read "Falena L. Vittetoe-Moore".

Falena L. Vittetoe-Moore
Deputy Clerk, Court en Banc

Appendix B



**CLERK OF THE SUPREME COURT
STATE OF MISSOURI
POST OFFICE BOX 150
JEFFERSON CITY, MISSOURI
65102**

BETSY AUBUCHON
CLERK

TELEPHONE
(573) 751-4144

October 28, 2020

Mr. Aaron LaRose
#1223972
E.R.D.C.C.
2727 Hwy K
Bonne Terre, MO 63628

In Re: Notice and Pro Se Supplemental Application for Transfer cover sheet and Pro Se Supplemental Application for transfer.

Dear Mr. LaRose:

The documents referenced above were received on October 27, 2020. I have returned the documents to you with this letter. The Court does not permit pro se filings on a case where you are represented by counsel.

Very truly yours,

BETSY AUBUCHON

Cynthia L. Turley
Deputy Clerk, Court en Banc

Appendix C



3 SCANNED

In the Missouri Court of Appeals
Eastern District

AARON JASON LAROSE,
APPELLANT,

No. ED107728

vs.

STATE OF MISSOURI, RESPONDENT.

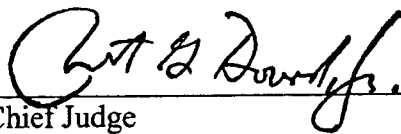
ORDER

Appellant's Motion for Rehearing and/or Application for Transfer to Missouri Supreme Court is denied.

SO ORDERED.

DATED:

OCT 06 2020



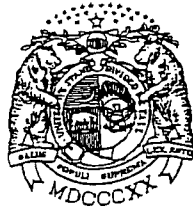
Chief Judge
Missouri Court of Appeals Eastern District

Appendix D

PR

STATE OF MISSOURI,
CITY OF St. Louis

} SS



SCANNED

**In the Missouri Court of Appeals
Eastern District**

MANDATE

AARON J. LAROSE,)	No. ED107728
)	
Movant/Appellant,)	
)	Appeal from the Circuit Court
vs.)	of St. Charles County
)	No. 1411-CC00186, Div. 2
STATE OF MISSOURI,)	
)	
Respondent.)	

The Court, being sufficiently advised of and having considered the premises, adjudges that the judgment rendered by the St. Charles County Circuit Court in cause No. 1411-CC00186 denying movant's motion under Rule 29.15 be affirmed and stand in full force and effect in accordance with this Court's order delivered September 1, 2020.

Appendix E

Appendix E

STATE OF MISSOURI, ss.

I, LAURA THIELMEIER ROY, Clerk of the Missouri Court of Appeals, Eastern District, certify that the above and foregoing is a full, true and complete transcript of the judgment rendered in the above entitled cause, as fully as the same remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at office, in the City of St. Louis this 23RD day of December, 2020.



Laura Thielmeier Roy
Clerk, Missouri Court of Appeals, Eastern District.

Appendix E



**In the Missouri Court of Appeals
Eastern District**

DIVISION FOUR

AARON J. LAROSE,

Appellant,

vs.

STATE OF MISSOURI,

Respondent.

) No. ED107728

)

) Appeal from the Circuit Court of
) St. Charles County

)

) Honorable Deborah J. Alessi

)

)

) Filed: September 1, 2020

Before Gary M. Gaertner, Jr., P.J., Philip M. Hess, J., and Michael E. Gardner, J.

PER CURIAM

ORDER

Aaron J. LaRose ("Movant") appeals the denial of his Rule 29.15 motion for post-conviction relief after an evidentiary hearing on three of his thirty-one claims. A jury found Movant guilty of first-degree murder and armed criminal action. The trial court sentenced Movant to life imprisonment without parole on the first-degree murder conviction and thirty years' imprisonment on the armed criminal action conviction, with both sentences to run consecutively. This Court affirmed Movant's convictions and sentences on direct appeal in *State v. LaRose*, 412 S.W.3d 294 (Mo. App. E.D. 2013).

Following his direct appeal, Movant filed a Rule 29.15 motion, alleging thirty-one claims. The motion court held an evidentiary hearing on three claims and denied the remaining claims without an evidentiary hearing. Movant raises eleven points on appeal, contending the

Appendix F

motion court clearly erred denying the claims in his Rule 29.15 motion. In his first point, Movant contends trial counsel was ineffective for failing to object to the State's closing argument. In his second and third points, Movant argues trial counsel was ineffective for failing to admit certain video surveillance to dispute testimony presented in the State's case in chief about Movant's whereabouts on June 24, 2009. In his fourth point, Movant argues trial counsel was ineffective for stipulating to the chain of custody and admission of the State's video surveillance footage. In his fifth point, Movant contends trial counsel was ineffective for failing to object to several hearsay statements. In his sixth point, Movant asserts trial counsel was ineffective for failing to call a witness. In his seventh point, Movant argues trial counsel was ineffective for failing to elicit certain testimony from a witness on cross-examination. In his eighth through tenth points, Movant contends the State violated Rule 25.03 by failing to provide trial counsel with certain video surveillance, computer files and time tracking data, and information regarding the alleged ongoing criminal investigation of a State witness. Last, Movant argues the State knowingly elicited perjured testimony.

We have reviewed the briefs of the parties and the record on appeal and find the motion court did not clearly err in denying post-conviction relief. A written opinion would have no precedential value and would serve no jurisprudential purpose. The parties have been furnished with a memorandum, for their information only, setting forth the reasons for our decision.

We affirm the judgment under Missouri Supreme Court Rule 84.16(b)(2).

Appendix F

DOUGLAS R. BADER
COURT ADMINISTRATOR
AND COUNSEL

LAURA THIELMEIER ROY
CLERK OF COURT

(314) 539-4300
FAX NO.: (314) 539-4324

Website: www.courts.mo.gov



Missouri Court of Appeals EASTERN DISTRICT

ONE POST OFFICE SQUARE
815 OLIVE STREET
ST. LOUIS, MISSOURI 63101

COLLEEN DOLAN
CHIEF JUDGE
ROBERT G. DOWD, JR.
JUDGE
MARY K. HOFF
JUDGE
SHERRI B. SULLIVAN
JUDGE
ROY L. RICHTER
JUDGE
KURT S. ODENWALD
JUDGE
GARY M. GAERTNER, JR.
JUDGE
ROBERT M. CLAYTON III
JUDGE
ANGELA T. QUIGLESS
JUDGE
PHILIP M. HESS
JUDGE
JAMES M. DOWD
JUDGE
LISA P. PAGE
JUDGE
ROBIN RANSOM
JUDGE
MICHAEL E. GARDNER
JUDGE

April 3, 2020

Aaron J. LaRose #1223972
E.R.D.C.C.
2727 Highway K
Bonne Terre, Missouri 63628

Re: ED107728, Aaron LaRose v. State of Missouri

Dear Mr. LaRose,

Your LETTER/MOTION TO THE COURT CLERK, TO COMPEL THE CLERK TO FILE AND PROCESS THIS LETTER/MOTION CONCERNING APPELLANT'S APPOINTED COUNSEL AND 29.15 PCR PROCESS, ALONG WITH APPELLANT'S 29.15 PCR PRO SE SUPPLEMENTAL APPEALS BRIEF WITH APPENDIX AND PARTIAL PRO SE LEGAL FILE, AS ATTACHMENT TO THIS LETTER/MOTION was received and filed on March 26, 2020. Your motion was presented to the Chief Judge for consideration, and on April 2, 2020, the Chief Judge denied your motion. Your pleadings will not be filed in the above-noted appeal. Please direct further inquiries to your counsel of record. I can be of no assistance in this matter.


Sincerely,

Laura Thielmeier Roy
Clerk of Court

ECC: Scott Thompson
Richard Starnes

Appendix G

- 04/03/2020 Correspondence Sent**
CLERK'S LETTER MAILED TO AARON LAROSE AT E.R.D.C.C.
- 04/02/2020 Denied**
Associated Entries: 03/26/2020 - Other Motion ±
- 03/30/2020 Case Screened- Regular**
Any party wanting oral argument must respond to this notice within 10 days.
Granted
Associated Entries: 03/27/2020 - Mot File BrfsLonger Rule Allow ±
- 03/27/2020 Mot File BrfsLonger Rule Allow**
Electronic Filing Certificate of Service.
Filed By: RICHARD ANTHONY STARNES
On Behalf Of: STATE OF MISSOURI
Associated Entries: 03/30/2020 - Granted
Granted Until
MAY 20, 2020
Associated Entries: 03/27/2020 - Mot for Ext Time to File Brief ±
Mot for Ext Time to File Brief
Electronic Filing Certificate of Service.
Filed By: JULIA ELIZABETH RIVES
On Behalf Of: STATE OF MISSOURI
Associated Entries: 03/27/2020 - Granted Until ±
- 03/26/2020 Granted Until**
April 20, 2020
Associated Entries: 03/26/2020 - Mot for Ext Time to File Brief ±
Other Motion
Motion to Compel Clerk to File and Process Motion Concerning Appointed Counsel and 29.15 PCR Process along with Appellant's 29.15 PCR Pro Se Brief with Appendix and Partial Pro Se Legal File
Associated Entries: 04/02/2020 - Denied
Mot for Ext Time to File Brief
Electronic Filing Certificate of Service.
Filed By: RICHARD ANTHONY STARNES
On Behalf Of: STATE OF MISSOURI
Associated Entries: 03/26/2020 - Granted Until ±
Entry of Appearance Filed
Electronic Filing Certificate of Service.
Filed By: RICHARD ANTHONY STARNES
On Behalf Of: STATE OF MISSOURI
- 03/19/2020 Appendix Filed**
Electronic Filing Certificate of Service. Effective Immediately, The Court Will Not Accept Paper Copies Of Briefs Until Further Notice.



Appendix 6

**Additional material
from this filing is
available in the
Clerk's Office.**