

IN THE ASSOCIATE CIRCUIT COURT  
22<sup>ND</sup> JUDICIAL CIRCUIT  
STATE OF MISSOURI CITY OF SAINT LOUIS

**FILED**  
MAR - 6 2009  
MARIANO V. FAVAZZA  
CLERK, CIRCUIT COURT  
BY \_\_\_\_\_ DEPUTY

STATE OF MISSOURI, )  
)  
Plaintiff. )  
)  
v )  
)  
)  
)  
)  
)  
Defendant. )

Cause

Division 24

**ENTERED**  
MAR - 9 2009

**JUDGMENT**

Cause called for bench trial on February 20, 2009, the defendant having previously waived his right to jury trial in writing. State appears by Assistant Circuit Attorney John Wright. Defendant appears in person and by counsel Sarah Boyle. Cause called, evidence adduced, credibility determinations made. The Court notes it has reviewed the testimony of each of the witnesses several times before ruling as this case rests solely on credibility.

Defendant was charged by information of one count of Assault in the Third Degree, for attempting to cause physical injury to \_\_\_\_\_ by striking her.

\_\_\_\_\_ testified that on December 9, 2007, at 3514 Michigan Avenue, she was at a neighbor's house (Richard) helping wrap Christmas gifts. She testified that she ran back home to get a pair of scissors. While she was inside her own home a disagreement had started between \_\_\_\_\_ the person she was wrapping presents with regarding child care of Fidelia's niece, \_\_\_\_\_ child.

The victim testified that when she returned outside she did not say anything to anyone and despite the fact that \_\_\_\_\_ arguing about