

IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

STATE OF MISSOURI,)
)
) Plaintiff,)
)
 vs.) Case No. 09AC-CR03516
)
) ALYSSA DAILEN BUSTAMANTE,)
)
) Defendant.)

ORDER DENYING SPECIAL EDUCATION REQUEST OF DEFENDANT

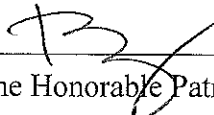
Now on this 23rd day of August, 2010, the Court takes up for ruling the Defendant's Motion for Education.

Whereas on the 27th day of July, 2010, the Court held an evidentiary hearing on Defendant's previously filed Motion for Education. Mark A. Richardson, Prosecuting Attorney of Cole County, Missouri, appeared on behalf of the State of Missouri, and Donald Catlett and Charles Moreland appeared on behalf of Defendant. Evidence was adduced by counsel for defendant and the matter was taken under advisement by the Court.

The Court finds from the evidence adduced and by judicial notice of the Court files of the Circuit Court that the defendant was certified as an adult on November 18, 2009. That thereafter on that same date, the Cole County Grand Jury returned an indictment charging her with Murder in the First Degree and Armed Criminal Action. That on the day she was indicted she was 15 years of age. She had been suspended pursuant to the Safe Schools Act from Jefferson City High School after her detention October 23, 2009, by the Juvenile Authorities. That she has been held on the charges without bond. That she was expelled from Jefferson City High School in December, 2009. That she is and has been since November 18, 2009, incarcerated in county jail. That in jail she has the ability to study the GED book.

The Court concludes that the Sheriff of Cole County has no requirement to provide defendant special education treatment and that she is receiving the same access to books as other county inmates.

IT IS THEREFORE ORDERED that Defendant's Motion for Education be and is hereby denied.



The Honorable Patricia S. Joyce, JUDGE