

Marion County Court Declares Mistrial in the Larry Uhlmeyer Assault Case

(September 13, 2010) - Charges of felony assault against a former Marion County Deputy Sheriff were dismissed by the Marion County prosecuting attorney in September just prior to the case coming to trial for a third time.

Larry Uhlmeyer, 54, had been charged with one count of felony first-degree assault and three counts of felony second-degree assault for the September 2007 shooting of James Rudd. Uhlmeyer faced the possibility of a life sentence for the shooting.

The incident took place in Uhlmeyer's garage after Rudd was discovered hiding there by Uhlmeyer's wife. Rudd had broken into the garage the night before the incident.

Rudd was shot after he attacked Uhlmeyer and his wife. Uhlmeyer said he shot the intruder in self-defense. The state contended it was not self-defense and that Uhlmeyer had gone too far in shooting Rudd.

The first time the case came to trial the State dismissed the charges before the jury was sworn and then re-filed the charges. The second trial ended in a mistrial when the jury was unable to reach a unanimous verdict.

This would have been the third trial of the case but the charges were dismissed and the case cannot be filed again.

Uhlmeyer's Attorney Wayne Schoeneberg of Schoeneberg Marty LLC, an Eastern Missouri law firm specializing in criminal law states, "Rudd broke into Larry's garage, it was simply a matter of self-defense."

Wayne Schoeneberg's office is located at 5500 Mexico Road, Ste 200, St. Peters, MO, 63376. Wayne has concentrated on DWI/DUI cases for the past 35 years as well as criminal defense, personal injury, and white-collar crimes. For more information on Wayne Schoeneberg's practice visit <http://www.smtlawfirm.com> or call 636.486.4861.



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