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FOR IMMEDIATE RELEASE

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DATE: 5/11/15

RE: ROBERT W. BERRY SENTENCED TO 28 YEARS IN PRISON FOR JANUARY 9, 2011 SHOOTING.

OZARK, MO – The Christian County Prosecuting Attorney's Office announces that on May 7, 2015, Robert W. Berry, D.O.B. 12-28-1965, was sentenced to a total of 28 years in the Missouri Department of Corrections for the January 9, 2011 shooting of his former mother-in-law. The Honorable Senior Judge J. Miles Sweeney pronounced the sentence following an approximate six hour sentencing hearing during which the State presented evidence of the aggravating factors surrounding the shooting. The Court imposed a sentence of 25 years for the crime of assault in the first degree, a sentence of 3 years for the crime of armed criminal action, and a sentence of 10 years for the crime of burglary in the first degree. The sentences for assault in the first degree and armed criminal action are to run consecutively. The sentence imposed for burglary in the first degree is to run concurrent to count I and II. The State requested a life in prison for the assault in the first degree, 100 years in prison for armed criminal action, and 15 years in prison for burglary in the first degree, with all counts to run consecutively. The defendant requested 15 years in prison on each count to run concurrently.

Prior to pronouncing sentence, the Court heard the details surrounding the January 9, 2011 shooting where Robert Berry entered the residence of D.W. without permission, armed with two firearms, with the intent to kill D.W. Berry shot and disabled D.W.'s dog and waited in the residence for her to arrive home from church. Once D.W. entered her residence, Berry shot her multiple times in the head and body. Berry also struck D.W. in the head multiple times with the butt of the rifle and with a crowbar. D.W. was able to escape and run to a nearby residence for help. D.W. sustained permanent injuries as a result of being shot.

Detectives from the Christian County Sheriff's Office recovered a magazine tube, numerous shell casings, and a crowbar from the scene. The magazine tube was analyzed at the Missouri State Highway Patrol Lab and finger prints matching Berry were found.

Following the shooting Robert Berry fled the state. He was located in Arkansas on January 13, 2011. Items inside the car included woman's clothing, a woman's wig, and an atlas. In addition, Robert Berry had altered his appearance by shaving his head. Additionally in the vehicle there was a pair of blue jeans, the jeans were sent for analysis at the Missouri State Highway Patrol

Lab in Springfield; who found blood on the jeans and further lab analysis found the DNA consistent with D.W.

Under Count I: assault first degree the range of punishment is 10 years to 30 years or life in the Missouri Department of Corrections and currently a defendant must serve 85% of any sentence before being eligible for parole. Currently, life, unless designated without the possibility of parole, is calculated at 30 years for determination of parole eligibility. Under Count II: armed criminal action the range of punishment is a minimum term of three years in the Missouri Department of Corrections. There is no maximum term of years. Under Count III: burglary in the first degree the range of punishment is 5 to 15 years in the Missouri Department of Corrections.

The case was prosecuted by Assistant Prosecuting Attorney Kristen M. Tuohy and Christian County Prosecutor Amy Fite. The Christian County Sheriff's Department investigated the crime.