

IN THE COURT OF APPEALS OF TENNESSEE

AT KNOXVILLE

FILED

December 10, 1999

Cecil Crowson, Jr.
Appellate Court Clerk

KIM NUCHOLS (WALKER),)	C/A NO. 03A01-9901-GS-00007
)	
Appellant,)	BLOUNT GENERAL SESSIONS
)	
vs.)	HON. WILLIAM R. BREWER, JR.,
)	JUDGE
BENNY NUCHOLS,)	
)	
Appellee.)	

OPINION ON PETITION TO REHEAR

Franks, J.

Benny Nuchols has filed a Petition to Rehear, and at our direction, Kim Nuchols has responded.

In our original Opinion, we revised the visitation schedule with the mother, because we were of the opinion that the standard visitation schedule adopted by the Trial Court was not adequate under the circumstances of this case.

We now conclude that the Trial Court is in a better position to establish the visitation and custody in this case than this Court, and we accordingly recall our Opinion to the extent that the first full paragraph on page 4 of our original Opinion is deleted, and the

cause is remanded to the Trial Court to establish visitation for the mother with the children substantially in excess of the Trial Court's standard visitation schedule throughout the school year, as well as during summer vacations and holidays.

The costs shall be taxed in accordance with the original Opinion.

Herschel P. Franks, J.

CONCUR:

Houston M. Goddard, P.J.

D. Michael Swiney, J.