

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE)	
)	FOR PUBLICATION
Appellee)	
v.)	HUMPHREYS COUNTY
)	HON. ROBERT E BURCH, JUDGE
JAMES R. LEMACKS)	
)	NO. 01-S-01-9803-CR-00049
Appellant)	

FILED

July 6, 1999

Cecil Crowson, Jr.
Appellate Court Clerk

DISSENTING OPINION

Because the opinion filed by the Court of Criminal Appeals states the view I take, I respectfully dissent from the view held by the majority of my colleagues and would adopt the opinion of the Court of Criminal Appeals.

ADOLPHO A. BIRCH, JR., Justice