IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE **FILED**

AT NASHVILLE

OCTOBER 1996 SESSION

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January 30, 1997

Cecil W. Crowson **Appellate Court Clerk**

No. 01-C-01-9510-CC-00333

Humphreys County

Robert E. Burch, Judge

(Driving While Intoxicated)

STATE OF TENNESSEE,

APPELLEE,

ν.

MARY A. ANGUS,

APPELLANT.

FOR THE APPELLANT:

Robert H. Stovall Assistant District Public Defender P.O. Box 160 Charlotte, TN 37036-0160

OF COUNSEL:

Shipp R. Weems District Public Defender P.O. Box 160 Charlotte, TN 37036-0160 FOR THE APPELLEE:

Charles W. Burson Attorney General & Reporter 500 Charlotte Avenue Nashville, TN 37243-0497

Clinton J. Morgan Assistant Attorney General 450 James Robertson Parkway Nashville, TN 37243-0493

Dan M. Alsobrooks **District Attorney General** P.O. Box 580 Charlotte, TN 37036-0580

George C. Sexton Assistant District Attorney General Humphreys County Courthouse, Suite 206 Waverly, TN 37185

OPINION FILED:

AFFIRMED PURSUANT TO RULE 20

Joe B. Jones, Presiding Judge

The appellant, Mary A. Angus, was convicted of driving while under the influence, a Class A misdemeanor, by a jury of her peers. The trial court sentenced the appellant to pay a fine of \$350 and serve eleven months and twenty-nine days in the Humphreys County Jail. The trial court suspended all but thirty days of the sentence.¹ In this Court, the appellant contends the evidence contained in the record is insufficient, as a matter of law, to support a finding by a rational trier of fact that she was guilty of driving while intoxicated beyond a reasonable doubt. After a thorough review of the record,² the briefs of the parties, and the authorities which govern the issue presented for review, it is the opinion of this Court the judgment of the trial court should be affirmed pursuant to Rule 20, Tenn. Ct. Crim. App.

JOE B. JONES, PRESIDING JUDGE

CONCUR:

WILLIAM M. BARKER, JUDGE

J. STEVEN STAFFORD, SPECIAL JUDGE

¹The probationary period is one year. The appellant must serve 100 hours of community service, attend the alcohol safety school, and pay the fine and costs as conditions of probation.

²The appellant filed a statement of the evidence rather than a verbatim transcript.