

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT NASHVILLE

DECEMBER 1996 SESSION

<p><b>FILED</b></p> <p>February 12, 1997</p> <p>Cecil W. Crowson Appellate Court Clerk</p>
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<p><b>JOHNNY WARD,</b>  Appellant,  V.  <b>STATE OF TENNESSEE,</b>  Appellee.</p>	<p>) ) C.C.A. No. 01C01-9602-CR-00062 ) ) Davidson County ) ) Honorable Thomas H. Shriver, Judge ) ) (Post-Conviction) ) )</p>
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FOR THE APPELLANT:

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FOR THE APPELLEE:

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OPINION FILED: \_\_\_\_\_

**AFFIRMED**

**PAUL G. SUMMERS,**  
Judge

**OPINION**

The appellant, Johnny Ward, was convicted by a jury of second degree murder. His conviction was affirmed on appeal. He filed for post-conviction relief alleging ineffective assistance of counsel. The trial court conducted an evidentiary hearing and denied the appellant relief. Upon review, we affirm.

The appellant's brief concedes that "[n]o single error made by [trial] counsel was sufficient to render her assistance ineffective." The appellant, however, argues that "the trial record when read with the testimony presented in the hearing on the Petition for Post-Conviction Relief establish that Johnny Ward's attorney did not prepare sufficiently for trial." The appellant did not make his trial transcript a part of the record presently before this Court. Moreover, the appellant cited his facts and a great majority of his argument to the absent trial transcript.

It was incumbent upon the appellant to prepare a record that included all material necessary for disposition of his appeal. State v. Beech, 844 S.W.2d 585, 588 (Tenn. Crim. App. 1987). Issues not supported by argument, citation to authorities, or appropriate references to the record are waived. Tenn. R. Ct. Crim. App., Rule 10(b). Accordingly, the appellant's issue is waived.

Notwithstanding waiver, we have reviewed that portion of the appellant's argument that cites to the record before us and ignored the portions of the appellant's brief which cites to the trial transcript. Upon review, we find the appellant's issue to be without merit. The evidence before us does not preponderate against the trial court's judgment, which we affirm.

PAUL G. SUMMERS, Judge

CONCUR:

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WILLIAM M. BARKER, Judge

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JOE G. RILEY, Judge