

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON
JANUARY SESSION, 1997

FILED

June 4, 1997

Cecil Crowson, Jr.
Appellate Court Clerk

STATE OF TENNESSEE,)
)
Appellee)
)
vs.)
)
THOMAS TOMLIN,)
)
Appellant)

No. 02C01-9603-CC-00111

GIBSON COUNTY

Hon. DICK JERMAN, JR., Judge

(Sale of Cocaine)

For the Appellant:

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District Public Defender

For the Appellee:

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OPINION FILED: _____

AFFIRMED PURSUANT TO RULE 20

David G. Hayes
Judge

OPINION

The appellant, Thomas Tomlin, was convicted by a Gibson County jury of sale of cocaine, a class C felony. The trial court sentenced the appellant to four years incarceration in the Tennessee Department of Correction. On appeal, the appellant challenges the sufficiency of the evidence supporting the jury's verdict. Specifically, he contends that the State failed to establish beyond a reasonable doubt the identity of the perpetrator.

On December 13, 1993, the appellant sold .06 gram of "crack" cocaine to an undercover narcotics investigator and a confidential informant. Both the investigator and the informant positively identified the appellant at trial. After thoroughly reviewing the records, the briefs, and the law governing the issue presented by the appellant, we conclude that the evidence is sufficient to support the finding by the trier of fact of guilt beyond a reasonable doubt and that no error of law requiring a reversal of the judgment is apparent. Accordingly, pursuant to Ct. Crim. App. Rule 20, we affirm the judgment of the trial court.

DAVID G. HAYES, Judge

CONCUR:

JOE B. JONES, Presiding Judge

THOMAS T. WOODALL, Judge