

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT NASHVILLE

JUNE, 1998 SESSION

FILED

September 29, 1998

Cecil W. Crowson
Appellate Court Clerk

STATE OF TENNESSEE,)

Appellee,)

v.)

EDGAR ALLEN ANDERSON,)

Appellant.)

C.C.A. NO. 01C01-9701-CC-00549

ROBERTSON COUNTY

Hon. John H. Gasaway, III, Judge

(Aggravated Burglary)

FOR THE APPELLANT:

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FOR THE APPELLEE:

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AFFIRMED PURSUANT TO RULE 20

OPINION FILED: _____

CURWOOD WITT
JUDGE

OPINION

The defendant, Edgar Allen Anderson, appeals pursuant to Rule 3 of the Tennessee Rules of Appellate Procedure from his conviction for aggravated burglary. Appellant was tried before a jury, convicted, and sentenced by the trial court to serve five years as a Range I, Standard Offender.

One issue is presented for review. The appellant contends that the evidence contained in the record is insufficient, as a matter of law, to support a finding by a rational trier of fact that he was guilty beyond a reasonable doubt of aggravated burglary.

Based upon a thorough reading of the record, the briefs of the parties, and the law governing the issue presented for review, the judgment of the trial court is affirmed pursuant to Rule 20, Tennessee Court of Criminal Appeals. The record discloses that an eye-witness observed the defendant for several minutes as the defendant rummaged through the victim's living room. The same witness accurately described the defendant and his car to the police and later picked him unhesitatingly out of a photographic lineup. The guilty verdict resolves any inconsistencies and conflicts in the evidence in favor of the state. State v. Payton, 782 S.W.2d 490, 493 (Tenn. Crim. App. 1989). The evidence contained in the record is clearly sufficient to support a conviction by a rational trier of fact that the appellant was guilty of aggravated burglary. Tenn. R. App. P. 13(e).

The trial court's judgment is affirmed pursuant to Rule 20. Tenn. R. Ct. Crim. App. 20.

CURWOOD WITT, Judge

CONCUR:

JOE G. RILEY, JR., Judge

LEE MOORE, Special Judge