JUNE, 1998 SESSION



September 29, 1998

Cecil W. Crowson **Appellate Court Clerk**

JUAN PEREZ WALKER)	No. 01C01-9708-CR-00371
Appellee, vs. STATE OF TENNESSEE, Appellant.)))))	Davidson County Honorable Thomas H. Shriver, Judge (Post-Conviction)
FOR THE APPELLANT:		FOR THE APPELLEE:
THOMAS H. MILLER (On Appeal) Post Office Box 681662 Franklin, TN 37064 MARTIN A. KOOPERMAN (At the Post-Conviction Hearing) 603 Woodland St. Nashville, TN 37206	Crimin	JOHN KNOX WALKUP Attorney General & Reporter CLINTON J. MORGAN Counsel for the State nal Justice Division 425 Fifth Ave. North Nashville, TN 37243-0493 VICTOR S. JOHNSON, III
		District Attorney General
		PAM ANDERSON Assistant District Attorney General Washington Square, Suite 500 222 2nd Ave. N. Nashville, TN 37201-1649
OPINION FILED:		

CURWOOD WITT

AFFIRMED PURSUANT TO RULE 20

JUDGE

OPINION

Juan Perez Walker, the petitioner, appeals pursuant to Rule 3 of the

Tennessee Rules of Criminal Procedure from the trial court's dismissal of his petition

for post-conviction relief. He contends that the trial court erred in finding that his

attorney had provided effective assistance of counsel and that he knowingly and

voluntarily entered his guilty plea.

In post-conviction proceedings, the petitioner has the burden of proving

the grounds raised in the petition by a clear and convincing evidence. Tenn. Code

Ann. § 40-30-210(f) (1997). After a hearing, the trial court found that petitioner's

counsel did "an exceptionally good job" in handling the plea and that his

representation was well within the range of competence demanded of attorneys in

criminal cases under Baxter v. Rose, 523 S.W.2d 930 (Tenn. 1975). The trial court

also found that the petitioner entered his guilty pleas with a clear understanding of

his constitutional rights and of the consequences of pleading guilty and that the pleas

were entered voluntarily. We have reviewed the record on appeal and the

applicable law. In this instance, the petitioner has not carried his burden. The

evidence in the record is more than sufficient to support the conclusions of the trial

court.

A more lengthy opinion in this matter would be of no precedential

value, and no error of law which requires reversal is apparent on the record.

Therefore, we affirm the trial court's denial of the petitioner's request for post-

conviction relief pursuant to Rule 20 of the Rules of the Tennessee Court of Criminal

Appeals.

CURWOOD WITT, Judge

CONCUR:

JOE G. RILEY, JR., Judge

R. LEE MOORE, JR., Special Judge

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