## IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE FILED

## AT KNOXVILLE

## **APRIL 1999 SESSION**

June 2, 1999 Cecil Crowson, Jr. Appellate Court Clerk

STATE OF TENNESSEE,	)
·	C.C.A. No. 03C01-9811-CR-00382
Appellee,	)
	) WASHINGTON COUNTY NOS:
	) 23800, 23044
VS.	)
	) HON. ARDEN L. HILL,
	) JUDGE
KARA M. CONERO,	)
MANA III. GONERO,	) AFFIRMED - RULE 20
Ammallant	AFFIRWED - ROLE 20
Appellant.	)

## ORDER

Petitioner, Kara M. Conero, appeals the trial court's revocation of her community corrections program and reinstatement of the original sentence. We affirm the dismissal pursuant to Rule 20 of the Tennessee Court of Criminal Appeals.

I.

On November 5, 1997, petitioner pled guilty to failure to appear and forgery over \$1,000. She received an effective four-year sentence requiring jail time followed by probation.

On February 6, 1998, the trial court found petitioner to be in violation of her probation and transferred her into the community corrections program in lieu of incarceration. On February 7, 1998, petitioner used marijuana. She reported to the community corrections officer on February 9, 1998, and tested positive for marijuana. Petitioner was advised to report to the community corrections officer on a daily basis to avoid further incarceration. Petitioner never again reported to the community corrections officer.

After a violation hearing on May 20, 1998, the trial court revoked petitioner's community corrections sentence and reinstated the four-year sentence.

II.

Petitioner contends she is a drug addict, and the trial court erred by not

authorizing further split confinement followed by an in-patient drug treatment

program. Revocation of probation or community corrections is subject to an abuse

of discretion standard of review, rather than a de novo standard. State v. Harkins,

811 S.W.2d 79, 82 (Tenn. 1991). Petitioner repeatedly violated the conditions of

alternative sentencing. The trial court did not abuse its discretion by revoking

alternative sentencing and requiring the petitioner to serve her sentence.

It is, therefore, ORDERED that the judgment of the trial court is affirmed in

accordance with Rule 20, Rules of the Tennessee Court of Criminal Appeals. Costs

shall be assessed against the state since petitioner is indigent.

NORMA MCGEE OGLE, JUDGE

	JOE G. RILEY, JUDGE	
CONCUR:		
JERRY L. SMITH, JUDGE		

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