IN THE COURT OF APPEALS OF TENNESSEE WESTERN SECTION AT JACKSON

HOWARD A. WOODS,)	From the Shelby County at Memphis, Tennessee	Circuit Court
Plaintiff/Appellant,)	The Honorable Robert A.	Lanier, Judge
vs.)	Shelby Circuit No. 47579	
CITY OF MEMPHIS, ET AL,	ý	Appeal No. 02A01-9510-CV-00226	
Defendants/Appellees.)	AFFIRMED	FILED
)	Howard A. Woods, pro s Memphis, Tennessee	9
)	Memphis, Termessee	December 30, 1996
)	No attorney for appellee	Cecil Crowson, Jr.
			Appellate Court Clerk

RULE 10 OPINION AND ORDER¹

____HIGHERS, J.

In this case, the Plaintiff, Howard A. Woods, filed suit against the Defendant, City of Memphis, seeking damages for the wrongful condemnation and demolition of his residence. On July 13, 1992, the Plaintiff filed suit in General sessions court. A judgment was entered in favor of the Defendant, and the Plaintiff appealed to circuit court. In the circuit court a judgment was granted in favor of the Defendant after a *de novo* hearing, and the Plaintiff has appealed to this court from that. We believe this is an appropriate case for affirmance pursuant to Court of Appeals Rule 10(a).

In January or February of 1985, the Defendant demolished the Plaintiff's house located at 409 Cambridge Street in Memphis, Tennessee. The Plaintiff testified that he was out of town when the demolition occurred and that he received no notice from the Defendant of the condemnation of his property. The Plaintiff stated that the property in question was inherited from his grandmother and "was in probate" at the time of the condemnation.

The Governmental Tort Liability Act provides that any action brought against a

¹Rule 10 (Court of Appeals). <u>Affirmance Without Opinion</u>. -- (a) The Court, with the concurrence of all judges participating in the case, my affirm the action of the trial court by order without rendering a formal opinion when an opinion would have no precedential value and one or more of the following circumstances exist and are dispositive of the appeal:

⁽¹⁾ The Court concurs in the facts as found or as found by necessary implication by the trial court.

⁽²⁾ There is material evidence to support the verdict of the jury.

⁽³⁾ No reversible error of law appears.

governmental entity of the State of Tennessee "must be commenced within twelve months after the cause of action arises." T.C.A. § 29-20-305(b). Because the Plaintiff's property was demolished in January or February of 1985 and because the Plaintiff filed suit on July 13, 1992, the one year statute of limitations under the Governmental Tort Liability Act bars the Plaintiff's cause of action.

The judgment of the circuit court is hereby affirmed. Costs on appeal are taxed to the Appellant, for which execution may issue if necessary.

	HIGHERS, J.	
CONCUR:		
EADMED I		
FARMER, J.		
LILLARD. J.		