IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT KNOXVILLE

JUNE 1996 SESSION



		August 26, 1996
HERMAN LEE LUCAS,	Cecil Crowson, Jr. Appellate Court Clerk No. 03-C-01-9506-CR-00156 Knox County	
APPELLANT,		
V.		
) Ray Lee Jenkins, Judge	
STATE OF TENNESSEE,) (Post-0	Conviction Relief)
APPELLEE.)	
FOR THE APPELLANT:	FOR THE AP	PELLEE:
Kimberly A. Parton Attorney at Law 407 Union Avenue, Suite 209 Knoxville, TN 37902	Charles W. Burson Attorney General & Reporter 450 James Robertson Parkway Nashville, TN 37243-0497	
	Eugene J. Honea Assistant Attorney General 450 James Robertson Parkway Nashville, TN 37243-0493	
	Randall E. Nichols District Attorney General City-County Building Knoxville, TN 37902	
	Zane M. Scar Assistant Dist City-County B Knoxville, TN	rict Attorney General Building
OPINION FILED:		

AFFIRMED PURSUANT TO RULE 20

Joe B. Jones, Presiding Judge

OPINION

The appellant, Herman Lee Lucas, appeals as of right from a judgment of the trial court dismissing his suit for post-conviction relief following an evidentiary hearing. The trial court found that the appellant's guilty pleas met constitutional muster and he received effective assistance of counsel. In this Court, the appellant contends that "the trial court erred in dismissing [his] post conviction relief petition upon a finding that [he] had failed to carry his burden of proof regarding the ineffective assistance claim." After a thorough review of the briefs submitted by the parties, the record, and the authorities that control the issue presented for review, it is the opinion of this Court that the judgment of the trial court should be affirmed pursuant to Rule 20, Tennessee Court of Criminal Appeals.

The appellant and the attorney who represented him testified during the evidentiary hearing. Their testimony conflicts as to every essential element that must be established to support the relief sought by the appellant. The trial court accredited the testimony given by the attorney. The evidence accredited does not preponderate against the judgment of the trial court.

	JOE B. JONES, PRESIDING JUDGE
CONCUR:	
GARY R. WADE, JUDGE	
PAUL G. SUMMERS, JUDGE	