IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT NASHVILLE

DECEMBER 1996 SESSION

FILED

February 12, 1997

Cecil W. Crowson
Appellate Court Clerk

DOYLE CARTER,	)	No. 01C01-9511-CC-00398
	)	
Appellant	)	
	)	DAVIDSON COUNTY
V.	)	
	)	HON. WALTER C. KURTZ,
STATE OF TENNESSEE,	)	JUDGE
	)	
Appellee.	)	(Post-Conviction)
	)	
	)	

CONCURRING OPINION

I concurred with the majority in Arnold Carter v. State, No. 03C01-9509-CC-00270 (Tenn. Crim. App. at Knoxville, July 11, 1996), holding that the petition was filed within the statute of limitations. Upon further reflection, I am of the opinion that the dissenting opinion by Judge David Welles in that case is the correct view of the statute when this Court is confronted with a petition such as the one in appellant's case. Therefore, I concur with the majority opinion in this case for the reasons stated here and for those I expressed in Stephen Koprowski v. State, No. 03C01-9511-CC-00365 (Tenn. Crim. App. at Knoxville, January 28, 1997).

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William M. Barker, Judge