

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

STATE OF TENNESSEE v. PHILIP R. WORKMAN

**Criminal Court for Shelby County
No. B-81209**

No. W2002-00300-SC-R11-CD - Filed May 19, 2003

ORDER

Upon consideration of the application for permission to appeal of Philip R. Workman and the record before us, the application is denied.

The defendant, Philip R. Workman, has also filed a “Motion for Rehearing, or Alternatively to Recall Mandate in Order to Reconsider Proportionality Review.” After due consideration, the motion is denied.

PER CURIAM

Birch, J., dissenting - see separate order