

**IN THE COURT OF APPEALS OF TENNESSEE
MIDDLE SECTION AT NASHVILLE**

RICKY HEMBREE,)	
)	
Plaintiff/Appellant,)	
)	Davidson Chancery
)	No. 95-2874-I
VS.)	
)	Appeal No.
)	01A01-9607-CH-00335
CHARLES TRAUGHBER,)	
CHAIRMAN, TENNESSEE)	
BOARD OF PAROLES,)	
)	
Defendant/Appellee.)	

FILED

December 11, 1996

Cecil W. Crowson
Appellate Court Clerk

CONCURRING OPINION

I concur that the Board of Paroles had the discretion to grant or deny Mr. Hembree parole under the facts of this case. However, circumstances may arise wherein the board's discretion is not so broad. *See Totty v. Tennessee Dep't of Correction*, App. No. 01A01-9504-CV-00013, 1995 WL 700205 (Tenn. Ct. App. Nov. 29, 1995).

WILLIAM C. KOCH, JR., JUDGE