

IN THE COURT OF APPEALS OF TENNESSEE
WESTERN SECTION AT JACKSON

CHARLIE BURKS,

Shelby County No. 105682-2
C.A. No. 02A01-9603-CH-00055

Plaintiff,

v.

BRETT STEIN,

Defendant.

FILED

April 1, 1997

Cecil Crowson, Jr.
Appellate Court Clerk

ORDER

In this cause, plaintiff, Pro Se, previously filed suit in the Chancery Court of Shelby County against defendant seeking damages for alleged failure of defendant to provide him with effective assistance of counsel during a criminal trial, wherein plaintiff was convicted of armed robbery. Plaintiff is presently under the jurisdiction of the Tennessee Department of Correction at its Lake County facility. Plaintiff appealed to this court which affirmed the trial court's judgment, by Memorandum Opinion filed October 24, 1996. Plaintiff's petition to rehear was denied by this court on January 29, 1997.

On March 19, 1997, plaintiff submitted to the clerk of this court a pleading entitled "Writ of Error or in the Alternate to Set Aside Order of Dismissal." This pleading, which we treat as a motion, was appropriately marked "Lodged" by the clerk. After due consideration, this motion is denied.

Enter this day of April, 1997.

TOMLIN, Sr. J.

FARMER, J. (CONCURS)

LILLARD, J.

(CONCURS)