

IN THE COURT OF APPEALS OF TENNESSEE
WESTERN SECTION AT JACKSON

JOHN ALAN DU BAN, SR.,

FROM THE SHELBY COUNTY
CIRCUIT COURT COURT

No. 60730

Plaintiff-Appellant,

THE HONORABLE KAREN R.
WILLIAMS, JUDGE

Vs.

FILED

C.A. No. 02A01-9712-CV-00314
AFFIRMED

GARY R. WILKINSON,

John Alan Du Ban, Sr., Pro Se

Defendant-Appellee.

June 15, 1998

Harris, Shelton, Dunlap & Cobb

Cecil Crowson, Jr.
Appellate Court Clerk

James L. Kirby of Memphis
For Appellee

MEMORANDUM OPINION¹ AND ORDER

CRAWFORD, J.

This appeal involves a suit by a party to a previous divorce case against the other party's attorney for actions taken by the attorney in that proceeding. Plaintiff, John Alan Du Ban, Sr., appeals the order of the trial court granting summary judgment to defendant, Gary Wilkinson, his ex-wife's attorney.

From our review of the entire record in this case, we conclude that this is a case that is proper for disposition pursuant to Rule 10(a), Rules of the Court of Appeals.

IT IS, THEREFORE, ORDERED that the order of the trial court is affirmed in accordance with Court of Appeals Rule 10(a). Costs of appeal are assessed against the appellant for which execution may issue, if necessary.

W. FRANK CRAWFORD,

¹ Rule 10 (Court of Appeals). **Affirmance Without Opinion.** The Court, with the concurrence of all judges participating in the case, may affirm the action of the trial court by order without rendering a formal opinion when an opinion would have no precedential value and one or more of the following circumstances exist and are dispositive of the appeal:

- (1) the Court concurs in the facts as found or as found by necessary implication by the trial court.
- (2) there is material evidence to support the verdict of the jury.
- (3) no reversible error of law appears.

Such cases may be affirmed as follows: "Affirmed in accordance with Court of Appeals Rule 10(a)."

PRESIDING JUDGE, W.S.

ALAN E. HIGHERS, JUDGE

DAVID R. FARMER, JUDGE