

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

CHARLES MONTAGUE,	)	
	)	
Plaintiff/Appellant,	)	
	)	Davidson Chancery
VS.	)	No. 96-3872-III
	)	
TENNESSEE DEPARTMENT OF	)	Appeal No.
CORRECTION and	)	01A01-9711-CH-00667
WARDEN HOWARD CARLTON,	)	
	)	
Defendants/Appellees.	)	

**CONCURRING OPINION**

I concur with the court's conclusion that Mr. Montague's complaint fails to state a claim for which relief can be granted under Tenn. Code Ann. §§ 4-5-223 through 4-5-225 (1991 & Supp. 1997).

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WILLIAM C. KOCH, JR., JUDGE