

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE

FILED

June 18, 1999

Cecil W. Crowson
Appellate Court Clerk

DANIEL B. TAYLOR,)	
)	
Plaintiff/Appellant,)	Appeal No.
)	01-A-01-9707-CH-00338
)	
VS.)	Davidson Chancery
)	No. 96-859-II
)	
STATE OF TENNESSEE,)	
JOHN DOE, STATE COORDINATOR)	
OF ELECTIONS, MS. BOBBIE WHITE,)	
SHELBY COUNTY REGISTRAR OF)	
VOTERS; and CHARLES W. BURSON,)	
ATTORNEY GENERAL,)	
)	
Defendants/Appellees.)	

ORDER ON PETITION TO REHEAR

Daniel B. Taylor has filed a petition for a rehearing of this case, asking us to vacate the opinion and judgment filed by this court on February 9, 1999, in order to correct what he contends are fundamental errors of law. His petition was filed on March 8, 1999. According to Rule 39(b) of the Rules of Appellate Procedure,

“[a] petition for rehearing must be filed with the clerk of the appellate court within 10 days after entry of judgment unless on motion the time is shortened or enlarged by the court or a judge thereof. Motions for extending time to file petitions for rehearing will be allowed only in extreme and unavoidable circumstances.”

There is no indication in the record that Mr. Taylor ever filed a motion with this court to enlarge the time to file his petition. However, even if we deemed the late-filed petition to contain the equivalent of a motion for an extension of time, there is nothing in Mr. Taylor’s petition to indicate the kind of extreme and unavoidable circumstances that would justify granting such a motion. It therefore follows that it is appropriate to dismiss the petition as untimely.

It is so ordered.

BEN H. CANTRELL, PRESIDING JUDGE, M.S.

WILLIAM C. KOCH, JR., JUDGE _____

WILLIAM B. CAIN, JUDGE