

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
October 19, 1998
Cecil W. Crowson
Appellate Court Clerk

DENNIS R. KINZIG,

(

(

Plaintiff-Appellee,

(

WILLIAMSON COUNTY

(

v.

(

No. 01S01-9711-CH-00248

(

JERRY ARINO,

(

(

Defendant-Appellant.

(

ORDER

We granted the appellant's Rule 10 Application for Extraordinary Appeal in order to review the decision of the Middle Section of the Court of Appeals. After due consideration of the briefs, applicable authority, and oral argument of the parties, we conclude that the appeal was improvidently granted. It is, therefore, ORDERED that the appeal is hereby dismissed at costs to the appellant for which execution may issue if necessary.

PER CURIAM