

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON
(HEARD AT MEMPHIS)

FILED

April 26, 1999

Cecil Crowson, Jr.
Appellate Court Clerk

FOR PUBLICATION
Filed: April 26, 1999

BRYANT DEWAYNE MILLEN,)	
)	
Appellant,)	Shelby Criminal
)	
Vs.)	No. 02-S-01-9711-CR-00106
)	
STATE OF TENNESSEE,)	
)	
Appellee.)	

ORDER

The appellant, Bryant Dewayne Millen, through counsel, has filed a petition for rehearing in this appeal pursuant to Tenn. R. App. P. 39(a). A motion to proceed as amicus curiae and a brief in support of the appellant's petition for rehearing has been filed by the Tennessee Association of Criminal Defense Lawyers.

After due consideration, it is ORDERED that the petition and the motion to proceed as amicus curiae is denied. It is further ORDERED, however, that the attached opinion is hereby substituted for the opinion filed on February 16, 1999, without change to the judgment already entered in this matter and without the further taxing of costs.

PER CURIAM