

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT JACKSON

FEBRUARY 2000 SESSION

<p>FILED</p> <p>March 15, 2000</p> <p>Cecil Crowson, Jr. Appellate Court Clerk</p>

<p>MARK W. BRYAN,</p> <p style="padding-left: 100px;">Appellee,</p> <p>v.</p> <p>STATE OF TENNESSEE,</p> <p style="padding-left: 100px;">Appellant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>W1999-01527-CCA-R3-PC</p> <p>Shelby County Criminal</p> <p>Petition Post Conviction</p> <p>Affirmed and Reversed</p> <p>No. P-07997 Below</p>
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JUDGMENT

Came the appellee, by counsel, and the State, by the Attorney General, and this case was heard on the record on appeal from the Criminal Court of Shelby County. Upon consideration thereof, this Court is of the opinion that the judgment of the trial court should be affirmed and reversed.

It is, therefore, ordered and adjudged by this Court that the judgment of the trial court is AFFIRMED and REVERSED, and the case is remanded to the Criminal Court of Shelby County for execution of the judgment of that court and for collection of costs accrued below.

It appearing that the appellee is indigent, costs of this appeal are assessed against the State of Tennessee.

L. T. LAFFERTY, Senior Judge

JOSEPH M. TIPTON, Judge

DAVID H. WELLES, Judge