

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT JACKSON

JANUARY 2000 SESSION

FILED

February 2, 2000

Cecil Crowson, Jr.

Appellate Court Clerk

STATE OF TENNESSEE,

Appellee,

VS.

ROCHELLE ANDRE TRIPLETT,

Appellant.

NO. W1998-01749-CCA-R3-CD

MADISON COUNTY

HON. ROY B. MORGAN, JR.,
JUDGE

(Probation Revocation)

FOR THE APPELLANT:

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OPINION FILED: _____

AFFIRMED - RULE 20 ORDER

JOE G. RILEY, JUDGE

ORDER

Appellant, Rochelle Andre Triplett, pled guilty to aggravated assault, simple assault, criminal impersonation, and possession of drug paraphernalia in March 1998. He received an effective three-year sentence and was placed on probation. In June 1998, his probation officer filed a probation violation warrant alleging failure to report and failure to pay fines and costs. The trial court conducted a full revocation hearing, found appellant in violation and revoked his probation. Appellant challenges that revocation. We **AFFIRM**.

At the May 1999 revocation hearing, the state asserted two additional grounds for revocation through the testimony of defendant's probation officer: violation of curfew and failure to inform of change of residence. Defendant also testified at the hearing. He stipulated to his failure to report and pay fines, but challenged the two additional grounds.

Based upon the stipulations and testimony, the trial court found that the appellant failed to report, failed to inform his probation officer of a change in residence and failed to pay his fines and costs. The trial court rejected the state's contention that defendant violated his curfew. The evidence does not preponderate against the trial court's ruling. The trial court did not abuse its discretion by revoking appellant's probation. Tenn. Code Ann. § 40-35-311(d).

The judgment of the trial court is affirmed pursuant to Rule 20, Tennessee Court of Criminal Appeals. It appearing that the appellant is indigent, costs shall be taxed to the state.

So ordered. Enter:

JOE G. RILEY, JUDGE

CONCUR:

**_____
JOHN EVERETT WILLIAMS, JUDGE**

**_____
ALAN E. GLENN, JUDGE**