

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE
December 13, 2000 Session

STATE OF TENNESSEE v. ROBERT LEE PATTEE

**Direct Appeal from the Criminal Court for Sumner County
No. 239-1999 Jane Wheatcraft, Judge**

No. M2000-00257-CCA-R3-CD - Filed May 3, 2001

JOSEPH M. TIPTON, J., concurring.

I concur in the result reached and most of the reasoning in the majority opinion. However, I believe that the evidence was sufficient to warrant the jury being instructed regarding voluntary manslaughter. I agree, though, that the failure to instruct the jury was harmless.

JOSEPH M. TIPTON, JUDGE