

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE  
AT NASHVILLE

**JAMES DUBOSE v. STATE OF TENNESSEE, KEVIN MYERS, WARDEN**

**Direct Appeal from the Circuit Court for Wayne County  
No. 13370 Jim T. Hamilton, Judge**

---

**No. M2004-01021-CCA-R3-HC - Filed November 9, 2004**

---

**ORDER**

The Appellant, James Dubose, has filed a petition to rehear in this case. The opinion of this Court, affirming the judgment of the trial court, was filed October 15, 2004. Upon review of the petition to rehear, we conclude that it should be denied.

It is therefore ordered that the petition to rehear is respectfully denied.

**PER CURIAM**

Thomas T. Woodall, Judge

David H. Welles, Judge

Jerry L. Smith, Judge