

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON
March 3, 2009 Session

STATE OF TENNESSEE v. JEFFREY D. ALLEN

**Direct Appeal from the Circuit Court for Crockett County
No. 3704 Clayburn Peeples, Judge**

No. W2008-01348-CCA-R3-CD - Filed August 17, 2009

CAMILLE R. McMULLEN, J., dissenting.

I respectfully dissent from the conclusion of the majority that upholds the determination of the trial court that the defendant's May 11, 2005, statement was admissible. While I recognize the difficulty of securing an attorney qualified to represent the defendant in this first degree felony murder case, I believe that the nearly two-month gap between his arrest and his confession to the offenses compels our concluding that the confession was inadmissible.

As to the other issues raised by the defendant on appeal, I concur with the majority opinion.

CAMILLE R. McMULLEN, JUDGE