

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT KNOXVILLE

FEBRUARY 1996 SESSION

**FILED**  
May 3, 1996  
Cecil Crowson, Jr.  
Appellate Court Clerk

STATE OF TENNESSEE, )  
 )  
 Appellee )  
 )  
 V. )  
 )  
 RALPH JACKSON HOUSEWRIGHT, )  
 )  
 Appellant )

NO. 03C01-9507-CC-00209  
SULLIVAN COUNTY  
HON. R. JERRY BECK  
JUDGE  
(Aggravated Burglary, Theft of  
Property Valued Over \$1,000,  
Sentencing)

FOR THE APPELLANT:

FOR THE APPELLEE:

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OPINION FILED: \_\_\_\_\_

Affirmed Pursuant to Rule 20

William M. Barker, Judge

OPINION

The appellant, Ralph Jackson Housewright, was convicted of aggravated burglary and theft of property valued at over \$1,000.00. The jury assessed a \$3,000.00 fine for the theft conviction. The appellant was sentenced as a Range II multiple offender to eight (8) years for the aggravated burglary conviction and to six (6) years for the theft conviction. The court ordered the sentences to be served consecutively and denied the appellant's request for probation or community corrections.

The appellant contends that the evidence was insufficient to support the convictions and that the trial court imposed an excessive sentence. This Court has made a thorough review of the record, the briefs of the parties, and the authorities that govern the issues presented for review. We hold that there was overwhelming evidence from which the jury could have concluded that the appellant committed aggravated burglary and theft of property valued at over \$1,000.00.

Similarly, we have conducted a de novo review of the sentences and hold that the trial court properly followed the applicable law when determining the length and manner of service of the sentences, including the imposition of consecutive sentences pursuant to Tennessee Code Annotated section 40-35-115(b)(2). The sentences imposed are well supported by the evidence, and the appellant has failed to overcome the presumption that the sentences imposed are correct. Tenn. Code Ann. § 40-35-401(d) (1990 Repl.)

It is the opinion of this Court that the judgment of the trial court should be affirmed pursuant to Rule 20, Tennessee Court of Criminal Appeals.

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WILLIAM M. BARKER, JUDGE

CONCUR:

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JOHN H. PEAY, JUDGE

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DAVID G. HAYES, JUDGE