

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT NASHVILLE

FEBRUARY 1996 SESSION

FILED
July 5, 1996
Cecil W. Crowson
Appellate Court Clerk

JAMES YOUNG,)
)
Appellant,)
)
v.)
)
DAVID MILLS, WARDEN, and)
STATE OF TENNESSEE,)
)
Appellees.)

No. 01C01-9508-CC-00256
Hickman County
Hon. Donald P. Harris, Judge
(Habeas Corpus)

For the Appellant:

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For the Appellee:

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OPINION FILED: _____

AFFIRMED PURSUANT TO RULE 20

Joseph M. Tipton
Judge

OPINION

The petitioner, James Young, appeals as of right from the Hickman County Circuit Court's denial of habeas corpus relief. He is presently in the custody of the Department of Correction in Hickman County serving a life sentence for first degree murder and a concurrent three-year sentence for grand larceny. These Shelby County convictions were affirmed on appeal. State v. James Young, No. 55, Shelby Co. (Tenn. Crim. App. Apr. 5, 1989), app. denied (Tenn. July 3, 1989). This court also affirmed the dismissal of a post-conviction petition challenging the convictions. James Young v. State, No. 02C01-9212-CR-00279, Shelby Co. (Tenn. Crim. App. Oct. 13, 1993), app. denied (Tenn. Mar. 7, 1994). On May 5, 1995, the petitioner filed an application for writ of habeas corpus. The trial court dismissed the application because it failed to state grounds for habeas corpus relief.

The petitioner contends that the trial court erred by dismissing his application for habeas corpus relief because the application alleges constitutional grounds that void his convictions. Specifically, he asserts that his convictions are void because the state was allowed to question him at his trial about unrelated charges against him and because jury members were exposed to newspaper articles about unrelated charges against him and to extrajudicial debates between witnesses. The trial court ruled that these claims are insufficient to void the petitioner's convictions and that the allegations in the application for habeas corpus relief would have been more appropriately raised on direct appeal or in a petition for post-conviction relief. See Archer v. State, 851 S.W.2d 157, 164 (Tenn. 1993). The court also noted that the applicable post-conviction statute of limitations, T.C.A. § 40-30-102, barred the petitioner from filing a petition for post-conviction relief.

After full consideration of the record, the briefs, and the law governing the issue presented, we are of the opinion that the petition does not state grounds for habeas corpus relief and that no precedential value would be derived from the rendering of an opinion. Therefore, we conclude that the judgment of the trial court should be affirmed pursuant to Rule 20, Tenn. Ct. Crim. App. R.

Joseph M. Tipton, Judge

CONCUR:

Paul G. Summers, Judge

David H. Welles, Judge