

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT NASHVILLE

JULY 1996 SESSION

<p><b>FILED</b></p> <p>November 27, 1996</p> <p>Cecil W. Crowson Appellate Court Clerk</p>
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STATE OF TENNESSEE,	)	NO. 01C01-9510-CR-00328
	)	
Appellee	)	SUMNER COUNTY
	)	
V.	)	HON. JANE WHEATCRAFT, JUDGE
	)	
SHANE ETHRIDGE	)	
	)	(Sentencing and Post-Conviction)
Appellant	)	
	)	

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

AFFIRMED - RULE 20 ORDER

William M. Barker, Judge

## ORDER

The Appellant, Shane Ethridge, appeals as of right his sentence for delivery of a controlled substance. Consolidated with this appeal is also Appellant's appeal from the denial of his petition for post-conviction relief. On April 29, 1994, the Appellant was the delivery man in a drug sale to a police informant. After being apprehended, the Appellant confessed to the crime and plead guilty to one count of delivery of cocaine. The trial court sentenced the Appellant to eight years, with one year to be served in jail and seven years in community corrections.

The Appellant's appeal of the length of his sentence is waived for failure to file a timely notice of appeal as to that issue. Tenn. R. App. P. 3(e). We do not find that justice requires us to waive the notice of appeal filing requirement. Tenn. R. App. P. 4(a). The Appellant also appeals the trial judge's denial of his petitions for a modified sentence and for a transfer from the county jail to a rehabilitation center. These issues are also waived because the Appellant has failed to make an argument in support of these issues, has cited no authorities, and has failed to cite to the record. Tenn. Crim. App. R. 10(b); Tenn. R. App. P. 27(a)(7).

Finally, the Appellant complains about the denial of his petition for post-conviction relief. Because the Appellant failed to raise any constitutional violations in his petition or at the post-conviction hearing, the trial court properly dismissed that petition. See Tenn. Code Ann. § 40-30-203.

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

WILLIAM M. BARKER, JUDGE

CONCUR:

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DAVID H. WELLES, JUDGE

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JERRY L. SMITH, JUDGE