

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT JACKSON  
MAY 1997 SESSION

**FILED**  
June 26, 1997  
Cecil Crowson, Jr.  
Appellate Court Clerk

JIMMY L. MATHIS, )  
 )  
Appellant, )  
 )  
VS. )  
 )  
STATE OF TENNESSEE, )  
 )  
Appellant. )

C.C.A. NO. 02C01-9605-CC-00177  
HARDIN COUNTY  
HON. C. CREED MCGINLEY,  
JUDGE  
(Post-conviction)

FOR THE APPELLANT:

FOR THE APPELLEE:

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District Attorney General  
  
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Asst. District Attorney General  
Hardin County Courthouse  
Savannah, TN 38372

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

**AFFIRMED – RULE 20**

**JOHN H. PEAY,**  
Judge

**ORDER**

The petitioner pled guilty to one count of aggravated sexual battery and was sentenced to eight years in the Department of Correction. He subsequently filed a petition for post-conviction relief alleging ineffective assistance of counsel and that his guilty plea was neither knowing nor voluntary. After a hearing, the court below denied relief, finding “nothing in the record that would imply that the petitioner was denied any right guaranteed by the constitutions of the United States or the State of Tennessee.” Upon our review of the record, we find that the evidence does not preponderate against the lower court’s finding. Accordingly, the judgment below is affirmed in accordance with Rule 20 of the Court of Criminal Appeals of Tennessee.

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JOHN H. PEAY, Judge

CONCUR:

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GARY R. WADE, Judge

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THOMAS T. WOODALL, Judge