

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT JACKSON

SEPTEMBER SESSION, 1997

FILED
September 19, 1997
Cecil Crowson, Jr.
Appellate Court Clerk

STATE OF TENNESSEE,)

Appellee,)

VS.)

KARL HAMILTON a.k.a.
RANDOLPH PRUITT,)

Appellant.)

C.C.A. NO. 02C01-9611-CR-00390
September 19, 1997

SHELBY COUNTY

HON. JOSEPH B. DAILEY
JUDGE

(Burglary)

ON APPEAL FROM THE JUDGMENT OF THE
CRIMINAL COURT OF SHELBY COUNTY

FOR THE APPELLANT:

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FOR THE APPELLEE:

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OPINION FILED _____

AFFIRMED PURSUANT TO RULE 20

DAVID H. WELLES, JUDGE

ORDER

The Defendant was convicted on a jury verdict of one count of burglary. He was sentenced as a career offender to twelve years in the Department of Correction. In this appeal he argues that the evidence introduced against him is insufficient to support his conviction. We disagree and affirm the judgment of the trial court.

The proof showed that a Memphis public elementary school's silent alarm system activated at approximately 2:30 a.m. on June 16, 1995. Two police cruisers promptly responded. As they arrived, the officers heard someone yell "Police" and saw the Defendant running from a "cubbyhole" area at the back of the school. He was apprehended immediately. He spontaneously told the officers that it was not his idea to break into the school, and that some guys had offered him some of the property for helping. In the "cubbyhole" area, a window had been forced open. Some tools and food items were located near the window. A television and a VCR belonging to the school were found in the school's playground area. No other suspects were found.

We conclude that the evidence presented is sufficient to support the finding by the trier of fact of guilt beyond a reasonable doubt. We further conclude that no error of law requiring a reversal of the judgment is apparent on the record.

Based upon a thorough reading of the record, the briefs of the parties, and the law governing the issues presented for review, the judgment of the trial court

is affirmed in accordance with Rule 20 of the Court of Criminal Appeals of Tennessee.

DAVID H. WELLES, JUDGE

CONCUR:

JOE B. JONES, PRESIDING JUDGE

JOE G. RILEY, JUDGE