

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT JACKSON

JANUARY 1998 SESSION

FILED
March 26, 1998
Cecil Crowson, Jr.
Appellate Court Clerk

THOMAS HAROLD STIGER,)
)
 APPELLANT,)
)
 v.)
)
 COMMISSIONER, TENNESSEE)
 DEPARTMENT OF CORRECTION,)
)
 APPELLEE.)

No. 02-C-01-9702-CR-00053
Shelby County
James C. Beasley, Jr., Judge
(Habeas Corpus)

FOR THE APPELLANT:

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OPINION FILED: _____

AFFIRMED PURSUANT TO RULE 20

Joe B. Jones, Presiding Judge

OPINION

The appellant, Thomas Harold Stiger (petitioner), appeals as of right from the summary dismissal of his habeas corpus action. The trial court dismissed the action because (a) the petitioner failed to comply with the requirements of Tenn. Code Ann. §§ 29-12-101, et seq. and (b) the petitioner is a federal prisoner and was confined to a federal penal institution when the petition was filed. In this court, the petitioner contends Tenn. Code Ann. §§ 29-21-101 and -102 are unconstitutionally “vague or indefinite,” and the trial court erred by applying Tenn. Code Ann. §§ 29-21-101 and -102 to dismiss his habeas corpus action. After a thorough review of the record, the briefs submitted by the parties, and the law governing the issues presented for review, 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.

The judgments of conviction are not void on their face and the sentences expire on March 27, 2003, according to the exhibits attached to the petition. See Passarella v. State, 891 S.W.2d 619, 626 (Tenn. Crim. App.), per. app. denied (Tenn. 1994). In addition, the petitioner is presently serving a federal sentence, and he is confined to a Federal Bureau of Prisons facility. Tenn. Code Ann. § 29-21-102.

JOE B. JONES, PRESIDING JUDGE

CONCUR:

PAUL G. SUMMERS, JUDGE

DAVID G. HAYES, JUDGE