

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT KNOXVILLE

AUGUST 1998 SESSION

<p><b>FILED</b></p> <p><b>September 23, 1998</b></p> <p><b>Cecil Crowson, Jr.</b> Appellate Court Clerk</p>
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GORDON SCOTT HOBBS, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 STATE OF TENNESSEE, )  
 )  
 Appellee. )

No. 03C01-9803-CR-00089  
 Hamilton County  
 Honorable Stephen M. Bevil, Judge  
 (Post-Conviction)

For the Appellant:

Gordon Scott Hobbs, Pro Se  
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For the Appellee:

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

AFFIRMED PURSUANT TO RULE 20

Joseph M. Tipton  
 Judge

## OPINION

The petitioner, Gordon Scott Hobbs, appeals from the Hamilton County Criminal Court's dismissal of his petition for post-conviction relief. The petitioner contends he received ineffective assistance of counsel because his counsel failed to introduce evidence of the petitioner's Vietnam stress disorder, explosive disorder, and major depression. The petitioner is presently serving life imprisonment in the custody of the Department of Correction for first degree murder and assault with intent to commit first degree murder. This is the petitioner's sixth petition for post-conviction relief, all of which have been denied. He has appealed two of the denials, both of which have been affirmed by this court.

The gist of the petitioner's claim is that his trial counsel was ineffective for failing to raise the issue of the petitioner's various stress disorders and depression. The trial court denied the petition, concluding that the issue was waived because it was not presented at any prior post-conviction proceeding and is not an exception provided for by the Post-Conviction Procedure Act. See T.C.A. § 40-30-206(g). After full consideration of the record, the briefs, and the law governing the issue presented, we are of the opinion that the record supports the trial court's actions, that no error of law exists that would require a reversal, 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.

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Joseph M. Tipton, Judge

CONCUR:

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Joe G. Riley, Judge

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Thomas T. Woodall, Judge