IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT JACKSON

AUGUST 1998 SESSION

STATE OF TENNESSEE,)	C.C.A. NO. 02C01-9711-CC-00437
Appellee)	HARDIN COUNTY
v. JAMES R. MOSS, Defendant/Appellant))))	HON. C. CREED McGINLEY, JUDGE PROBATION
FOR THE APPELLANT: Richard W. DeBerry Assistant District Public Defender 24th Judicial District 117 North Forrest Avenue Camden, TN 38320		FOR THE APPELLEE: John Knox Walkup Attorney General & Reporter Marvin E. Clements, Jr. Assistant Attorney General Criminal Justice Division Cordell Hull Building, 2nd Floor 425 Fifth Avenue North Nashville, TN 37243

OPINION FII	LED
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AFFIRMED JOHN K. BYERS SENIOR JUDGE

OPINION

The defendant, James R. Moss, appeals as of right from the judgment of the Hardin County Circuit Court which denied him probation on two convictions of obtaining a controlled substance by fraud for which he was sentenced to serve three years on each offense concurrently.

The defendant says the trial court abused its discretion in denying probation.
We conclude that the evidence strongly supports the trial court's action and that no
error of law requiring a reversal is apparent from the record. Accordingly, the
judgment is affirmed in accordance with Rule 20, Tenn.Ct.Crim.App.
John K. Byers, Senior Judge
CONCUR:
David H. Welles, Judge
Jerry L. Smith, Judge