IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT JACKSON

FILED

AUGUST 1998 SESSION

August 4, 1999

Cecil Crowson, Jr. Appellate Court Clerk

	Appellate Court Clerk
STATE OF TENNESSEE,) C.C.A. NO. 02C01-9709-CC-00360
Appellee) FAYETTE COUNTY
V.) HON. JON KERRY BLACKWOOD,) JUDGE
JACOB MEEKS,)
Defendant/Appellant) POST-CONVICTION)

OPINION CONCURRING IN RESULTS ONLY

I concur with majority's conclusion that the appellant must be denied post-conviction relief and that therefore the judgment of the trial court must be affirmed. However, I write separately to express my continued adherence to the position set out in my dissenting opinion in the original appeal of this case. It is still my belief that the failure of a trial court clerk to send a defendant the notice of withdrawal of counsel after an initial appeal is merely a violation of a court rule, Rule 14 of the Rules of the Tennessee Supreme Court, is not an error of constitutional magnitude and cannot form the basis of post-conviction relief.

The judgment of the trial court should be AFFIRMED.

JERRY L. SMITH, JUDGE	-