

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT KNOXVILLE
NOVEMBER 1999 SESSION

FILED
November 16, 1999
Cecil CROWS ON, Jr.
Appellate Court Clerk

RONALD SCOTT ANDERSON,)
Appellant,)
00109)
v.)
STATE OF TENNESSEE,)
Appellee.)

No. 03C01-9903-CR-
Sullivan County
Honorable Lynn W. Brown, Judge
(Post-conviction: First degree murder)

For the Appellant:

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For the Appellee:

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OPINION FILED: _____

AFFIRMED PURSUANT TO RULE 20

Joseph M. Tipton
Judge

OPINION

The petitioner, Ronald Scott Anderson, appeals as of right from the Sullivan County Criminal Court's dismissal of his post-conviction petition. The petitioner

was convicted in 1990 of first degree murder, and this court affirmed the conviction on direct appeal. State v. Anderson, 835 S.W.2d 600 (Tenn. Ct. Crim. App. 1992). The petitioner contends that the trial court incorrectly concluded that the issue of ineffective assistance of counsel had been previously determined. We affirm the trial court's dismissal of the petition pursuant to Rule 20, Tennessee Court of Criminal Appeals Rules.

In his petition, the petitioner contends that his attorney was ineffective for failing to develop evidence of the petitioner's intoxication to refute a finding of specific intent. On appeal, the petitioner contends that the trial court erred by dismissing his petition without an evidentiary hearing. He offers no argument to support his contention and cites no authority. See T.R.A.P. 27(a)(7). Regardless, our review of the record supports the trial court's dismissal. Pursuant to Tenn. Code Ann. § 40-30-206(f) (1995), the trial court shall examine the allegations of fact in a post-conviction petition, and if the petition fails to show that the claims for relief have not been waived or previously determined, the petition shall be dismissed. The trial court determined that the petitioner's claim of ineffective assistance of counsel was previously determined both in the denial of the petitioner's motion for a new trial and on direct appeal. The record supports this finding.

After a 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, Tennessee Court of Criminal Appeals Rules.

Joseph M. Tipton, Judge

CONCUR:

Jerry L. Smith, Judge

Thomas T. Woodall, Judge
