

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT NASHVILLE

SEPTEMBER 1999 SESSION

FILED

October 5, 1999

Cecil Crowson, Jr.
Appellate Court Clerk

RICHARD CARLTON TAYLOR,)
)
 Appellant,)
)
 VS.)
)
 STATE OF TENNESSEE,)
)
 Appellee.)

C.C.A. NO. 01C01-9809-CC-00399

COFFEE COUNTY

HON. GERALD L. EWELL, SR.,
JUDGE

(Post-Conviction)

FOR THE APPELLANT:

FOR THE APPELLEE:

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ORDER FILED: _____

AFFIRMED - RULE 20

JOHN H. PEAY,
Judge

ORDER

The petitioner was convicted of robbery and joyriding. The petitioner appeals the trial court's dismissal of his petition for post-conviction relief. Previous petitions have been filed and heard.

On June 29, 1998, petitioner filed a petition for post-conviction relief in original case number 29,051, the robbery conviction. He also filed a petition to reopen his previous post-conviction in case number 23,721, the joyriding conviction.¹ This Court previously dismissed the appeal in original case number 23,721 because it was not filed within ten (10) days of the trial court's denial of his motion to reopen. See T.C.A. § 40-30-217(c).

In this appeal (the post-conviction relating to the robbery conviction), we find that the petition was not filed within the one year period of limitations as required by our statute. See T.C.A. § 40-30-201(a). Further, the petitioner has alleged no ground that would allow a petition to be filed after the period of limitations has expired. See T.C.A. § 40-30-202(b). Accordingly, we affirm the trial court's dismissal of the petition pursuant to Rule 20 of the Rules of the Court of Criminal Appeals of Tennessee.

JOHN H. PEAY, Judge

¹The petitioner has reversed the offenses and numbers in his petitions and his briefs in these cases.

CONCUR:

DAVID H. WELLES, Judge

JOHN EVERETT WILLIAMS, Judge