

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT NASHVILLE

DECEMBER 1999 SESSION

FILED
December 16, 1999
Cecil Crowson, Jr.
Appellate Court Clerk

STATE OF TENNESSEE,)
)
 Appellee,)
)
 VS.)
)
 HAROLD W. DANIELS,)
)
 Appellant.)

NO. M1999 0303 CCA R3 CD

CHEATHAM COUNTY

HON. ROBERT BURCH,
JUDGE

(DUI-2nd Offense; Driving on
Revoked License)

FOR THE APPELLANT:

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OPINION FILED: _____

AFFIRMED - RULE 20 ORDER

JOE G. RILEY, JUDGE

ORDER

Defendant was convicted by a Cheatham County jury of driving under the influence, second offense, and driving on a revoked license. In this appeal as of right, he alleges the following: (1) the evidence was insufficient to support the guilty verdicts; (2) false testimony was presented by state witnesses; (3) the prosecutor committed misconduct during the trial; (4) the state withheld exculpatory evidence; and (5) he received ineffective assistance of counsel. We **AFFIRM** the judgment of the trial court pursuant to Rule 20, Tennessee Court of Criminal Appeals.

The appellate record does not contain a transcript of the trial or a statement of the evidence as required by Tenn. R. App. P. 24. It is the appellant's duty to have prepared an adequate record in order to allow a meaningful review on appeal. Tenn. R. App. P. 24; State v. Ballard, 855 S.W.2d 557, 560 (Tenn. 1993); State v. Carey, 914 S.W.2d 93, 97 (Tenn. Crim. App. 1995). When no evidence is preserved in the record for review, we are precluded from considering the issues. State v. Roberts, 755 S.W.2d 833, 836 (Tenn. Crim. App. 1988). Absent a proper record, we are unable to address the issues raised by defendant.

Accordingly, it is ORDERED that the judgment of the trial court be affirmed pursuant to Rule 20, Tennessee Court of Criminal Appeals. It appearing that defendant is indigent, costs are taxed to the state.

ENTER:

JOE G. RILEY, JUDGE

CONCUR:

JAMES CURWOOD WITT, JR., JUDGE

ALAN E. GLENN, JUDGE