

SUPREME COURT OF TENNESSEE
 SUPREME COURT DISCRETIONARY APPEALS
May 29, 2001

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
State of Tennessee vs. James E. (Junebug) Ligon M1999-02461-SC-R11-CD	Cheatham Criminal Allen W. Wallace 12907	Glenn, J. Affirmed	Rule 11	Granted - Application of James E. (Junebug) Ligon ¹

The following Rule 11 Dismissals were filed the weeks of May 21st - May 25th, 2001

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¹Upon consideration of the application for permission to appeal of James E. (Junebug) Ligon and the record before us, the application is granted for the sole purpose of vacating the judgment on count two of the indictment and remanding the case to the trial court for resentencing on that count. We note plain error in the judgment which warrants correction. Specifically, while the jury returned a verdict for the offense of theft over \$500, a class E felony, the judgment form reflects a conviction for the offense of theft over \$1000, a class D felony. The sentence imposed by the trial court exceeds the statutory maximum for a class E felony. This constitutes plain error which warrants correction as soon as practicable. We therefore vacate the judgment for theft over \$1000, and remand the case to the trial court for entry of judgment and resentencing for the offense of theft over \$500.