

IN THE COURT OF APPEALS OF TENNESSEE  
AT KNOXVILLE

**CARLTON J. DITTO, v. SHAPIRO and KIRSCH, LLP, et al.**

**Appeal from the Chancery Court for Hamilton County  
No. 080397, 031234 Donald Paul Harris, Sr. Judge**

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**No. E2011-01957-COA-R3-CV-FILED-MAY 10, 2012**

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**Tenn. R. App. P. 3 Appeal as of Right; Appeal Dismissed**

HERSCHEL PICKENS FRANKS, P.J., CHARLES D. SUSANO, JR., J., and D. MICHAEL SWINEY, J.

Carlton J. Ditto, Chattanooga, Tennessee, *pro se*.

Kenneth O. Fritz, Chattanooga, Tennessee, for the appellee, City of Chattanooga.

James C. Davey, Chattanooga, Tennessee, for the appellee, Hamilton County.

**MEMORANDUM OPINION<sup>1</sup>**

In this action, a Show Cause Order was issued by the Court on April 13, 2012, directing the *pro se* appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Appellant responded to the Show Cause and acknowledged that the Notice of Appeal was filed late.

Accordingly, this Court is without jurisdiction to entertain the appeal and the appeal

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<sup>1</sup>Tenn. R. Ct. App. 10 states:

This Court, with the concurrence of all judges participating in the case, may affirm, reverse or modify the actions of the trial court by memorandum opinion when a formal opinion would have no precedential value. When a case is decided by memorandum opinion it shall be designated "MEMORANDUM OPINION," shall not be published, and shall not be cited or relied on for any reason in any unrelated case.

is Ordered dismissed, with the cost of the appeal assessed to Carlton J. Ditto.

PER CURIAM