

IN THE COURT OF CRIMINAL APPEALS OF  
AT JACKSON  
JUNE SESSION, 1999

TENNESSEE  
**FILED**  
July 12, 1999  
Cecil Crowson, Jr.  
Appellate Court Clerk

STATE OF TENNESSEE,

Appellee,

V.

CHRISTIE THOMAS,

Appellant.

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C.C.A. NO. 02C01-9810-CR-00303

SHELBY COUNTY

HON. CHRIS CRAFT, JUDGE

(ASSAULT)

FOR THE APPELLANT:

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OPINION FILED \_\_\_\_\_

AFFIRMED PURSUANT TO RULE 20

THOMAS T. WOODALL, JUDGE

# ORDER

In this case, the Defendant, Christie Thomas, has appealed as of right from the trial court's decision declining to grant her request for judicial diversion pursuant to Tennessee Code Annotated section 40-35-313. Upon a plea of nolo contendere to the offense of misdemeanor assault, the Defendant was sentenced to serve sixty (60) days, which was suspended, and was placed on probation for eleven (11) months, twenty-nine (29) days.

We have reviewed the record and find that the trial court did not abuse its discretion in declining to grant judicial diversion to Defendant pursuant to Tennessee Code Annotated section 40-35-313. The evidence does not preponderate against the finding of the trial judge, and no error of law requiring a reversal of the judgment is apparent on the record. Accordingly, the judgment of the trial court is affirmed in accordance with Rule 20 of the Court of Criminal Appeals of Tennessee.

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THOMAS T. WOODALL, Judge

CONCUR:

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DAVID H. WELLES, Judge

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NORMA McGEE OGLE, Judge