

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE

RICHARD LYNN NORTON v. RICKY BELL, WARDEN

**Criminal Court for Davidson County
No. 3150**

No. M2001-02516-CCA-R3-CO

ORDER - Filed June 13, 2002

The petitioner appeals pro se from the Davidson County Criminal Court's denying him habeas corpus relief from his three 1999 convictions for the sale or delivery of more than one-half gram of crack cocaine for which he received an effective sentence of twenty-four years. The petitioner contends that the convictions are void because the presentment "does not charge the overt act, offense of knowingly possession with intent to sell or deliver a Schedule II controlled substance, and nor, does it charge, knowingly possessed a Schedule II controlled substance, exceeding one-half gram." He also asserts that evidence "seized and manufactured through an informant, after-the-fact, through inducement" is insufficient to show probable cause in Tennessee. The trial court denied relief.

The record reflects that in each of the three counts, the presentment alleges that the petitioner knowingly sold or delivered crack cocaine in an amount over one-half of a gram. He was convicted as charged. The presentment was not required to allege possession for a charge of sale or delivery. Relative to the petitioner's claim that evidence was manufactured, the allegations fail to state a ground for which habeas corpus relief may be available.

After consideration of the record, the briefs, and the law governing the issues presented, we conclude that no error of law exists that would require a reversal and that no precedential value would be derived from rendering an opinion. Therefore, we hereby ORDER that the judgment of

the trial court is affirmed pursuant to Rule 20, Tenn. Ct. Crim. App. R. It appearing that the petitioner is indigent, costs are taxed to the State of Tennessee.

JOSEPH M. TIPTON, JUDGE

JOE G. RILEY, JUDGE

JAMES CURWOOD WITT, JR., JUDGE