

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT KNOXVILLE

Assigned on Briefs May 21, 2003

STATE OF TENNESSEE v. ALORRA D. PUCKETT

Direct Appeal from the Criminal Court for Hamilton County
No. 238682 Douglas A. Meyer, Judge

No. E2002-01959-CCA-R3-CD
July 9, 2003

JOE G. RILEY, J., dissenting.

Although the issue is indeed close, I believe the stop was lawful. The officer observed three driving irregularities on a straight highway within a relatively short period of time, one of which occurred prior to activation of the videotape. Thus, I believe the facts here are distinguishable from the cases relied upon by the majority and are more similar to State v. Gary S. Greve, No. E2002-00999-CCA-R3-CD, 2003 Tenn. Crim. App. LEXIS 255 (Tenn. Crim. App. Mar. 27, 2003, at Knoxville), in which we upheld the stop.

JOE G. RILEY, JUDGE