IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE AT KNOXVILLE Assigned on Briefs April 12, 2005 Session

STATE OF TENNESSEE v. MICHAEL L. CALANDROS

Criminal Court for Sullivan County No. S41,624

No. E2004-02382-CCA-R3-CD

JUDGMENT

Came the appellant, Michael L. Calandros, *pro se*, and also came the Attorney General on behalf of the State of Tennessee, and this case was heard on the record on appeal from the Criminal Court of Sullivan County; and upon consideration thereof, this Court is of the opinion that this avenue of appeal is unavailable to the defendant because the sentence in this case is neither illegal nor void.

In accordance with the opinion filed herein, it is, therefore, ordered and adjudged by this Court that the appeal is dismissed, and the case is remanded to the Criminal Court of Sullivan County for execution of the judgment of that court and/or for further proceedings and for collection of costs accrued below.

It appearing that the appellant, Michael L. Calandros, is indigent, costs of appeal will be taxed to the State of Tennessee.

Judge John Everett Williams Judge Thomas T. Woodall Judge Robert W. Wedemeyer