

IN THE COURT OF CRIMINAL APPEALS

AT JACKSON

OCTOBER 1995 SESSION

<p>FILED</p> <p>January 31, 1996</p> <p>Cecil Crowson, Jr. Appellate Court Clerk</p>

STATE OF TENNESSEE,)
)
 Appellee)
)
 V.)
)
 RAVEN P. GUNN,)
)
 Appellant)

NO. 02C01-9505-CR-00121
 SHELBY COUNTY
 HON. ARTHUR T. BENNETT
 JUDGE
 (Reckless Endangerment)

FOR THE APPELLANT:

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 Public Defender

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OPINION FILED: _____

AFFIRMED

William M. Barker, Judge

OPINION

The appellant, Raven P. Gunn, was charged in a one count indictment with aggravated assault. The case was tried before a Shelby County jury which found the appellant guilty of the lesser included offense of reckless endangerment. The sole issue presented on appeal is whether the evidence was sufficient to support the conviction.

On May 15, 1993, during the course of an impromptu street party, the appellant and the victim argued over what can only be described as an apparent breach of gambling etiquette by the victim. The appellant left the scene of the argument, entered his apartment and returned to the street moments later with a nine millimeter semi-automatic pistol. The two men resumed their quarrel. The appellant pointed the gun at the victim and ultimately the victim turned to leave the scene at which point he was shot in the leg just above the ankle by the appellant.

After full consideration of the record, the briefs, and the law governing the issue presented by the appellant, we are of the opinion that the evidence is more than sufficient to support the jury verdict and that no error of law exists that would require a reversal. Therefore, we determine that the judgment of the trial court should be affirmed pursuant to Rule 20, Tenn. Ct. Crim. App.

WILLIAM M. BARKER

CONCUR:

JOE B. JONES, JUDGE

PAUL G. SUMMERS, JUDGE