

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON
FEBRUARY 1997 SESSION

FILED
March 27, 2008
Cecil Crowson, Jr.
Appellate Court Clerk

MICHAEL SOUTH,)	C.C.A. NO. 02C01-9609-CR-00312
)	
APPELLANT,)	SHELBY COUNTY
)	
VS)	HON. L. T. LAFFERTY,
)	JUDGE
STATE OF TENNESSEE,)	
)	(Post Conviction - Aggravated Rape;
APPELLEE.)	Aggravated Robbery)

FOR THE APPELLANT:

FOR THE APPELLEE:

ROBERT C. IRBY
4345 Malory Ave., E
Memphis, TN 38111

CHARLES W. BURSON
Attorney General and Reporter

DEBORAH A. TULLIS
Assistant Attorney General
450 James Robertson Parkway
Nashville, TN 37243-0493

JOHN W. PIEROTTI
District Attorney General

KEVIN R. RARDIN
Assistant District Attorney
201 Poplar Avenue, Suite 301
Memphis, TN 38103-1947

OPINION FILED: _____

AFFIRMED - RULE 20 ORDER

JOE G. RILEY,
JUDGE

ORDER

This is an appeal from the trial court's dismissal of a post-conviction relief petition. The appellant, Michael South, was convicted of aggravated rape and aggravated robbery and sentenced to serve 60 years and 30 years, respectively. The sentences were ordered to be served consecutively. We affirm the dismissal of the petition.

In his petition seeking post-conviction relief, the sole issue was whether South had been denied effective assistance of counsel. After an evidentiary hearing, the trial judge filed an excellent, detailed opinion. The trial judge found that counsel's performance was not deficient and denied relief. We have reviewed the briefs, transcript of the hearing, opinion and order denying relief and the entire appellate record. The evidence in the record does not preponderate against the findings and conclusions of the trial court.

The judgment of the trial court is **AFFIRMED** pursuant to Rule 20 of the Tennessee Court of Criminal appeals.

JOE G. RILEY, JUDGE

CONCUR:

JOE B. JONES, PRESIDING JUDGE

JOHN H. PEAY, JUDGE