

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT KNOXVILLE

JUNE 1997 SESSION

FILED
October 1, 1997
Cecil Crowson, Jr.
Appellate Court Clerk

WILLIAM DAVID CLAPP,)
)
 Appellant,)
)
 v.)
)
 STATE OF TENNESSEE,)
)
 Appellee.)

No. 03C01-9605-CC-00193
Sullivan County
Honorable Frank L. Slaughter, Judge
(Post-Conviction)

For the Appellant:

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(AT TRIAL & ON APPEAL)

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(ON APPEAL)

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OPINION FILED: _____

AFFIRMED

Joseph M. Tipton
Judge

OPINION

The petitioner, William David Clapp, appeals as of right from the Sullivan County Criminal Court's dismissal of his petition for post-conviction relief. The trial court dismissed the petition, concluding that it was barred by the statute of limitations. We affirm the judgment of the trial court.

The petitioner collaterally challenges convictions he received in 1978 and 1980 as the result of guilty pleas. He filed the present petition for post-conviction relief March 4, 1996. He argues that his petition was filed timely under the 1995 Post-Conviction Procedure Act. However, in Arnold Carter v. State, No. 03-S-01-9612-CR-00117, Monroe County (Tenn. Sept. 8, 1997) (for publication), our supreme court held that the 1995 Act did not reinstate a filing period for post-conviction cases relative to convictions for which the former three-year post-conviction statute of limitations had already run. The judgment of the trial court is affirmed.

Joseph M. Tipton, Judge

CONCUR:

John H. Peay, Judge

Curwood Witt, Judge