

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT NASHVILLE

OCTOBER 1998 SESSION

**FILED**

November 19, 1998

Cecil W. Crowson  
Appellate Court Clerk

WILLIAM C. HIGHTOWER,

Appellant,

VS.

STATE OF TENNESSEE,

Appellee.

NO. 01C01-9802-CC-00081

WILLIAMSON COUNTY

HON. DONALD P. HARRIS,  
JUDGE

(Sentencing)

**AFFIRMED - RULE 20**

ORDER

Appellant, William C. Hightower, appeals the trial court's denial of his motion to correct an illegal sentence. The trial court previously revoked his probation and ordered an effective eight-year sentence to run consecutively to a fifteen-year Alabama sentence.

Appellant previously appealed his probation revocation and unsuccessfully argued this very issue. The fact that appellant is now attacking his sentence under the guise of a motion to correct an illegal sentence does not detract from this Court's previous ruling that consecutive sentencing was proper. Appellant is bound by that ruling. We reiterate that "Hightower's contention that the trial court erred by requiring the Tennessee sentences to be served consecutively to the Alabama sentences is without merit. The trial court is authorized to run such sentences consecutively pursuant to T.C.A. § 40-35-310. Consecutive sentencing is justified under the facts." State v. William Hightower, C.C.A. No. 01C01-9507-CC-00234, Williamson County (Tenn. Crim. App. filed January 16, 1997, at Nashville)(no permission to appeal sought).

The judgment of the trial court is affirmed pursuant to Rule 20, Tennessee

Court of Criminal Appeals. It appearing that the appellant is indigent, costs shall be taxed to the state.

So ordered. Enter:

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**JOE G. RILEY, JUDGE**

**CONCUR:**

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**PAUL G. SUMMERS, JUDGE**

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**JOSEPH M. TIPTON, JUDGE**