



review on appeal. See State v. Ballard, 855 S.W.2d 557 (Tenn. 1993). Accordingly, “[i]n the absence of an adequate record on appeal, this court must presume that the trial court’s rulings were supported by sufficient evidence.” State v. Oody, 823 S.W.2d 554, 559 (Tenn. Crim. App. 1991).

Nevertheless, given the record before the Court, we agree with the trial court’s ruling in this case. Contrary to the petitioner’s argument, the Tennessee Criminal Sentencing Reform Act of 1989, which repealed the statute under which the petitioner was apparently convicted and sentenced, specifically states that “[t]his act shall not affect rights and duties matured, penalties that were incurred, or proceedings that were begun before its effective date.” 1989 Tenn. Pub. Acts ch. 591, § 115. See also State ex rel. Stewart v. McWherter, 857 S.W.2d 875 (Tenn. Crim. App. 1992) (holding that the imposition of lesser sentences under the 1989 Act does not violate constitutional right to equal protection); State v. Russell, 866 S.W.2d 578 (Tenn. Crim. App. 1991). Therefore, since the petitioner is not challenging the appropriateness of his sentence at the time it was imposed, his present claim must fail.

Accordingly, we cannot find any error on the part of the trial court in dismissing the petition. It is therefore ORDERED that the state’s motion is granted. Pursuant to Rule 20 of the Rules of the Court of Criminal Appeals, we affirm the trial court’s dismissal of the petitioner’s petition for writ of habeas corpus.

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DAVID G. HAYES, JUDGE

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PAUL G. SUMMERS, JUDGE

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JOE G. RILEY, JUDGE