

Syllabus

TENNESSEE *v.* MIDDLEBROOKS

CERTIORARI TO THE SUPREME COURT OF TENNESSEE

No. 92-989. Argued November 1, 1993—Decided December 13, 1993

Certiorari dismissed. Reported below: 840 S. W. 2d 317.

Charles W. Burson, Attorney General of Tennessee, argued the cause for petitioner. With him on the brief was *Kathy Morante Principe*.

David C. Stebbins, by appointment of the Court, 508 U. S. 937, argued the cause for respondent. With him on the brief were *Paul R. Bottei* and *Lionel R. Barrett, Jr.**

*Briefs of *amici curiae* urging reversal were filed for the State of California et al. by *Daniel E. Lungren*, Attorney General of California, *George Williamson*, Chief Assistant Attorney General, *Dane R. Gillette* and *Ward A. Campbell*, Deputy Attorneys General, and *Mark L. Krotoski*, Special Assistant Attorney General, and by officials for their respective States as follows: *James H. Evans*, Attorney General of Alabama, *Winston Bryant*, Attorney General of Arkansas, *Grant Woods*, Attorney General of Arizona, *John M. Bailey*, Chief State's Attorney of Connecticut, *Charles M. Oberly III*, Attorney General of Delaware, *Robert A. Butterworth*, Attorney General of Florida, *Larry EchoHawk*, Attorney General of Idaho, *Pamela Carter*, Attorney General of Indiana, *Chris Gorman*, Attorney General of Kentucky, *Richard P. Ieyoub*, Attorney General of Louisiana, *J. Joseph Curran, Jr.*, Attorney General of Maryland, *Mike Moore*, Attorney General of Mississippi, *Joseph P. Mazurek*, Attorney General of Montana, *Don Stenberg*, Attorney General of Nebraska, *Frankie Sue Del Papa*, Attorney General of Nevada, *Robert J. Del Tufo*, Attorney General of New Jersey, *Michael F. Easley*, Attorney General of North Carolina, *Susan B. Loving*, Attorney General of Oklahoma, *Ernest D. Preate, Jr.*, Attorney General of Pennsylvania, *T. Travis Medlock*, Attorney General of South Carolina, *Mark Barnett*, Attorney General of South Dakota, *Dan Morales*, Attorney General of Texas, and *Joseph B. Meyer*, Attorney General of Wyoming; for the Appellate Committee of the California District Attorney's Association by *Gil Garcetti* and *Harry B. Sondheim*; and for the Criminal Justice Legal Foundation by *Kent S. Scheidegger*.

Per Curiam

PER CURIAM.

The writ of certiorari is dismissed as improvidently granted.

JUSTICE BLACKMUN dissents.