

A RIGGED TRESPASS TRIAL?

IN THE CRIMINAL COURT
FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE,)
Plaintiff,)
vs.) 2017-A-62
WILLIE AUSTIN DAVIS,)
Defendant.)

Transcript of Trial, Volume I
Before the Honorable Steve Dozier
September 11, 2017

Appearances:

For the State:
Chandler Harris
Jenny Charles
Assistant District Attorney Generals
Nashville, Tennessee

For the Defendant:
Willie Austin Davis
Pro Se
Nashville, Tennessee

Judge Dozier's uncle, Don Dozier, was a member of Covenant Presbyterian Church. Judge Dozier is friends with other Covenant Members. Judge Dozier recused after the trial when Austin Davis was jailed for 18 days.

Ex-Judge Casey Moreland - Bound Over To Indictment
1st Grand Jury - Scottie Coombs?
2nd Grand Jury - Solomon Holley?
Sgt. Solomon Holley participated in the arrest of the Defendant on Nov 15, 2015

Shana Crawford, CCR

Official Court Reporter

Division I

Nashville, Tennessee

Will Chandler Harris and Jenny Charles be prosecuted for a "malicious prosecution?" If they have been forced to prosecute, maybe they should resign to join the "pro se" legal team?

The Covenant "Trespass" Trial was prosecuted to protect a "Mann Act" Federal crime cover-up which is still on-going before the Middle Tennessee Appellate Court, and the Davidson County Criminal Court Division III. Oral arguments before the Middle Tennessee Appellate Court are scheduled for June 5, 2019. A New Trial - Mistrial hearing is scheduled before Judge Cheryl Blackburn on July 12, 2019. Judge Thomas Brothers heard sworn testimony in his court which prompted him to provide a video of the trial to DA Glenn Funk.

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Sgt. Solomon Holley Grand Juror Solomon Holley?

Austin Davis did not appear before the secret grand jury?

**JULY 12, 2019 – JUDGE CHERYL BLACKBURN
NEW TRIAL – MISTRIAL HEARING**

Pro Se Defendant was **banned** from recording the trial. Defendant has expressed concern about the accuracy of the trial transcript and requested a video copy of the trial. On April 17, 2019, the Court Reporter told the Defendant: “We do not give out audio or video in Criminal Court because there is an Official Court reporter there to take everything down.”

**IN THE CRIMINAL COURT
OF DAVIDSON COUNTY, TENNESSEE
DIVISION I**

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STATE OF TENNESSEE

V.

**CASE NUMBER:
2017-A-62**

WILLIE AUSTIN DAVIS,

This cause came on to be heard and was heard on the 11th and 12th days of September, 2017, before the Honorable Steve Dozier, Judge, holding Criminal Court for Davidson County, Tennessee, Division I, and a jury of twelve and one alternate.

The jury was selected, impaneled, and duly accepted by both sides and sworn; sequestration was waived by agreement; the witnesses were called, placed under the Rule and excluded from the courtroom; and the following proceedings were had to wit:

P-R-O-C-E-E-D-I-N-G-S

(Whereupon, jury selection was had and a jury of 12 plus one alternate were selected and sworn as the jury in this matter.)

(The indictment was read by the State to which the defendant entered a plea of not guilty and the following proceedings were had:):

THE COURT: Does the State care to make an opening statement?

GENERAL HARRIS: Yes, Your Honor.

I spent the better part of the last couple of days with my in-laws. And as I'm sure many of you watched, you know, and are probably watching now, we spent most of yesterday watching Hurricane Irma inch its way up the Florida peninsula. And storms like this are, you know, very interesting, I've got kind of a minor fascination with weather, it's just an interesting job. You know, but the interesting thing about big events like this, we saw this with Hurricane Harvey and too are seeing this

1 now with Hurricane Irma or take any tornado or
2 something like that, that where there is sort of an
3 all-hands-on-deck sort of mentality in the news room
4 and then we go live to somebody on the scene. And
5 it's so ridiculous it's almost funny as you see some
6 of these people down in Naples or these storm chasers
7 or whoever standing there live as they literally
8 being blown all different directions.

9 There was one yesterday where some
10 person for ABC was shackled into a deck in Miami, you
11 could see him holding on to the rope and there is one
12 that is kind of -- I think it's going around now the
13 storm chaser is out measuring wind speed. And it's
14 like he's in a vacuum, he is literally being blown
15 back by the wind. And you would think it's just
16 going to totally blow him away all together.

17 And my mother-in-law who is from the
18 north, and she is, as we Southern's might put it,
19 very candid about certain things saw this and she
20 sort of made the comment that, you know, what -- you
21 know, why are these people, why are they out there?
22 What is wrong? All of these warnings are out there,
23 all of these folks ought to be evacuated and there
24 they are, you know, standing in the middle of it, not
25 helping anyone, just reporting. And I was like,

1 well, you know, it's important for us to know how
2 powerful it is. It's obviously important to know
3 sort of what damage is being done.

4 But it got my thinking, folks like that,
5 weather people or any one in that circumstance has a
6 dual incentive, number one is to report news, clearly
7 that is their number one job, but to that is maybe
8 they are rewarded too. Maybe so and so out of Miami
9 who is standing in waist-deep water who is reporting
10 on X, Y, Z, does such a good job, maybe they win an
11 Emmy. Maybe someone, you know, gets famous and they,
12 like the storm chaser that's getting blown away, and
13 all of the sudden, with this age of the internet,
14 they got 10 million clips and people now turn that
15 into money.

16 You know it's a good way to get rich.
17 There are ways that people can turn that to their
18 advantage because they are the only one there and I
19 guess, you know, it's their job. But clearly there
20 is some personal reason to do it otherwise who would
21 do it, right?

22 This is a case about -- initially I
23 thought this was a case about obsession, well, what
24 does the weather have to do with that? Well,
25 obsessions, incentives, you know, the folks that do

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the weather have incentives, this is a case about
obsession. That's all.

You are going to hear testimony over
this afternoon hopefully not into tomorrow, but
possible, that Austin Davis had been banned from the
property of Cumberland Presbyterian Church since
2008. He was banned from that property by what is
called a session, or the -- this would be the ruling
church body, group of elders, church counsel, board
of directors, however you want to call it. Those
people decided that Austin Davis was a threat to be
on the property and sent him a letter saying he was
no longer allowed.

Austin Davis, I submit the proof will
show, was aware of this letter, knew he wasn't
allowed to be there. And I submit the proof will
also show that he knew that his presence on the
property irked people, that it scared them. That
they were in fare themselves not knowing what to do.

Mr. Davis was sent that letter in 2008.
You will hear testimony that Mr. Davis may have gone
on to the property at some point after that, but
definitely was there in October of 2015. He entered
on to the property. He knew he wasn't supposed to be
there. He was shown the letter that was sent to him

See 2008 Covenant Board
Minutes at the back of this
link. Session Clerk Scott
Troxel did not obtain
approval to write a "trespass
letter" from the Covenant
Session and/or 1000+ joint
property owners (members).
Exculpatory info was provided
to DA.

1 in 2008, he acknowledged receipt of that letter, he
2 understood. Didn't have any issues about the letter. UNTRUE
3 And yet he remained and had to be escorted off of the
4 property by Metro Police all to return again
5 two weeks later while he was finally arrested by
6 police for being on the property in violation of what
7 the judge -- excuse me not what the Judge, what the
8 Session, what the ruling body of the church said. UNTRUE

9 I thought it was a case about obsession,
10 I don't think it's that. I think -- I think there is
11 something deeper in play here. I think this is a
12 case -- I submit this is a case. I submit that you
13 will hear proof this is the case about fear. This is
14 a case about fear.

15 Mr. Davis continued to go on the
16 property multiple times in violation of the order or
17 of the letter banning him from the property because
18 he knew whenever he went on to the property, people
19 got scared. Mr. Davis apparently in the same way
20 one, has an incentive to do things that no one else
21 would do, maybe for their own personal gain; two,
22 does it because it's about him. It's really not
23 about whatever reasons he says he's there. It's
24 really not about any member of his family or whomever
25 or judges or lawyers or whatever, ladies and

1 gentlemen, the proof is going to show that this case
2 is about Austin Davis. This case is about control.
3 And this case is about fear.

4 And I submit at the end of this trial
5 there is going to be no doubt that Mr. Davis went on
6 to the property that he knew he wasn't supposed to be
7 on the property the, that there is a school on that
8 property and that he did so knowingly, intentionally
9 or recklessly to cause fear of the safety of every UNTRUE
10 one else there. At the end of this trial, I'm going
11 to ask all of you to return verdicts of guilty.

12 Thank you.

13
14 THE COURT: All right. Any opening
15 statement, Mr. Davis?

16 MR. DAVIS: I'm not a pro at this, so I
don't really know what I'm doing, I just want to talk
to you. There are certain things that are
fundamental, a courthouse that you can actually walk
into because, it's public property and you can go and
be at a trial, unless somebody does something to you,
stops you from doing that. There are certain places,
22 libraries, state courthouse, public sidewalks,
23 schools, all of us have been to school I'm sure
24 somewhere, and all of us had kids or nephews or
25

The accuracy of this trial transcript is a concern but Defendant Austin Davis was informed he cannot review the video or audio recording to ensure the trial transcript accuracy. In Mississippi, it is called "home-cooking."

1 somebody who goes to school.

2 Churches. The government is over there
3 trying to tell you that this is a case about fear.
4 It's not about fear, it's about freedom. The
5 government -- the and it's just me and this day and
6 time and they are probably some people in the streets
7 and an unruly public out there right now that is just
8 voted and there are still probably a lot of people
9 unhappy about a lot of different things on both sides
10 of that political equation, but what they want to do
11 is they want to be able to express their freedom.

12 They want to be able to have their
13 voice. They want to be able to get up and speak.
14 They don't have a right to go out and shoot cops and
15 do a lot of things they are doing, but what makes us
16 all Americans is that we are able to get up and say
17 something, or we are able to get up and go somewhere,
18 or we are able to go wall in the door. And we don't
19 like having thugs get up in front of the doors and
20 blocking us. And we don't like having people come
21 over and threaten us, send death threats to your home
22 or any kind of thing like that to intimidate you.
23 That's anti-American.

24 Back in -- our brood moved around and
25 ended up in Memphis -- I grew up in Mississippi in

1 the 50's. Bad time. I can remember going to the
2 movie theater and I went in one side of the theater
3 as a little boy, and another people went in another
4 part of the theater. When they went to a water
5 fountain, some people drank out of one part of the
6 water fountain, other people drank out of another
7 water fountain.

8 When I was in Memphis going to high
9 school, I was very well educated about what went on
10 in Memphis in 1964, the kneel-ins were very peaceful
11 people, went to churches in the south and think
12 walked up to the church doors and they had a lot of
13 guys in suits and ties standing at the doors blocking
14 them telling them you aren't welcome here and you
15 can't come in here today. That's at God's house.
16 Thank God those days are past up hopefully and that
17 that has changed because we are Americans.

18 And so I'm telling you this is an about
19 freedom and it's also about trespass. What is
20 trespass? Who does have the authority to do it? I'm
21 a law-abiding citizen. I wouldn't be up here
22 defending myself and standing in front of a jury as
23 an ex-deacon at Covenant, who was actually trained
24 and actually used to be a guy that watched out for
25 property and was a custodian out there. It's not

1 anybody's personal property, it's tax exempt. You
2 have to file with the State of Tennessee, you have to
3 go in there and say, we are going to become a church.
4 We want tax exemption. We are going to collect a lot
5 of money. This is in Green Hills, in Bell Meade,
6 it's a big huge cathedral in Green Hills.

7 Ask yourself when you saw the arrest --
8 which I have a videotape of, but when you saw the
9 arrest on TV or when anybody in Nashville reported
anything about it. You haven't because it's a
secret. People don't want you to know. I've been
looking forward to getting in front of a jury so you
can learn a little bit.

14 I don't know if you will learn
15 everything that I know, because when you come in and
16 do all of these pretrial things, there are things
17 that they can block or keep out or don't want you to
18 know. But I don't care about any of that because
19 there is certain things: Ownership, who owns
20 property? I can't go to any of your houses and stand
21 up in front of a house if somebody comes to your
22 house and tell them you can't come here today. I
23 can't belong in a neighborhood association, if
24 anybody in here belongs to a neighborhood
25 association, there is a bunch of people that vote.

Defendant provided the DA
the Oct 25th audio and the
Nov 15th arrest video. Why
didn't the DA present the
recordings as evidence?

1 You have the president, treasurer, those kind of
2 things. It's basically a group -- if you are in a
3 condominium, you trust those people that are running
4 them. But you don't want to find out the president
5 of the neighborhood association has got a beef with
6 somebody and then he goes over and starts using the
7 police and stuff and banning people from the
8 property, when the people who are the home owners are
9 the people living there paying the fees and stuff
10 don't even know about it.

11 So this is a huge case for a lot of
12 reasons. A lot of reasons because you have got very
13 powerful churches in Nashville, and the last thing
14 you really want to have happen -- and Nashville is a
15 city of churches is having the church and the State
16 marry. Because if they ever marry -- the founders
17 knew that, they wanted to keep it separate, the Bill
18 of Rights were for me and you. They were to keep
19 very powerful forces from ganging up on individual
20 people.

21 That's why we have freedom. And I
22 personally think we are very close to losing it
23 because we've got people running around doing
24 anything that want to. Basically saying don't stand
25 over there, don't do this, don't do that. I will be

1 portrayed as a narcissistic person, whatever it is
2 that they can try to portray me as, crazy out of my
3 mind, nuts, I'm an American. And I wouldn't want you
4 to be blocked from going in anywhere that I knew you
5 had a right to go. If you don't have a right, then
6 that's -- you can risk being arrested and you may do
7 that.

8 But I was pretty well informed. And I'm
9 not an you know intelligent guy. And I'm not a
10 reckless person, which is what the indictment is
11 basically saying, saying reckless. I'm a boys
12 athletic director/coach and the State and the
13 Government is trying to portray me as some reckless
14 person who wants to endanger children when I have a
15 whole history of protecting them.

16 And it comes down to who you trust, the
17 Government, which we are a part of. It's for the
18 people and by the people all of that. But we still
19 have a government out here that is -- and is it the
20 government, is it the media, is it the police, is it
21 the DA's office? I know we all trust those things
22 pretty much, but today what you are looking at is a
23 citizen who is in the teeth of all of that.

24 And I'm down here in the Courts and I'm
25 just wanting you to make sure that the Government

1 your due diligence and you know you have a right.
2 That doesn't mean that the Government can't come back
3 and challenge you. We have seen plenty of people had
4 billy sticks put on their heads and different things
5 and people stand up and say you can't come in here.
6 That has been done. And but that's what I'm --
7 that's what I'm waiting to see from them. I don't
8 have to get up and do anything really or prove
9 anything. They have to come prove the ownership that
10 flowed and that people had the authority, the legal
11 authority. Not just that the stole it or they went
12 rogue or they did something that they weren't really
13 supposed to be doing, pulling a fast one. I'm not
14 trying to pull any fast ones on any of you all. I
15 respect you too much. I'm not trying to come in here
16 and do a song and dance or try to trick you or
17 whatever. I'm in here to try to tell you what I can
18 and then they have to come over here and prove their
19 case and try to show you what it is that made me an
20 aggravated criminal trespasser or whatever it is they
21 blame me as, which damages my name and hurts me badly
22 in my community.

23 And so I'm eager to see what they have
24 to present and who they bring to testify. **The Asst. DA had two surprise**

25 Thank you.

witnesses not on the list:
1) Federal Judge John Bryant.
2) Police Officer James Smith.

1 THE COURT: All right. Ladies and
2 gentlemen, we are going to break for lunch to say
3 1:20.

4 So just remember what I have said about
5 not discussing the case, forming my opinion about it.
6 You can step down the hallway and your lunches will
7 be there for you.

8
9 (Jury exits the courtroom.)

10
11 THE COURT: All right. Mr. Davis, one
12 question, and I will preface by saying you are doing
13 great, doing a great job for what that is worth. It
14 may not mean anything to you. But we had this
15 discussion, I don't know when, several months ago
16 about the official court reporter and the recordings
17 that are made, everything is recorded. Nobody is
18 going to mistreat you in here in any way from my
19 perspective.

[See recording ban at
the back of this link.](#)

20 But why do we have your daughter
21 recording everything?

22 MR. DAVIS: I don't have my daughter
23 recording. I don't have --

24 THE COURT: Okay. So you didn't know
25 she was?

1 MR. DAVIS: No.

2 THE COURT: Okay. So would you help me
3 help her and when we get her back in, we will give
4 her her phone, she can go to password and just record
5 what she has -- she can erase what she has recorded.

6 MR. DAVIS: That's fine.

7 THE COURT: Do you have any issues with
8 that?

9 MR. DAVIS: No.

10 THE COURT: Okay. Bring Daisy Davis
11 back in.

12 COURT OFFICER: And I requested that she
13 do that out there, so it may already be off, but she
14 was very concerned about --

15 THE COURT: Okay. Just let her step
16 back in. I don't want to keep her phone.

17 MR. DAVIS: I'm not recording. I'm
18 just --

19 THE COURT: Yeah, that's fine. You
20 know not to, so -- okay.

21 Ms. Davis, and I have discussed this
22 with your father, Mr. Davis here, he is aware that --
23 we have recordings of this; nobody is going to do
24 anything that's not being recorded, but we can't have
25 parties and witnesses recording things. So I'm not

1 chastising you or anything, I just want to make sure
2 that you take your phone with this young lady's
3 assistance and just delete anything that has been
4 recorded. Is that a problem?

5 THE WITNESS: (Shakes head negatively.)

6 THE COURT: All right. We will be in
7 recess then in 1:20.

8 MR. DAVIS: What time?

9 THE COURT: 1:20, is that enough time?

10 MR. DAVIS: Yes. Thank you.

11
12 (Lunch break was taken.)

13
14 THE COURT: All right. Let the jury
15 step down. And who is the State's first witness?

16 GENERAL HARRIS: Mr. Troxel, Your
17 Honor.

18 THE COURT: All right. Go ahead, Ms.
19 Haney and bring in Mr. Troxel.

20
21 (Whereupon, the jury was present in the
22 courtroom.)

23
24 THE COURT: All right. Raise your
25 right-hand and be sworn.

SCOTT TROXEL,

1
2 was called as a witness, and after having first duly
3 sworn, testified as follows:

Why was Scott Troxel served
a subpoena as a prosecution
witness? Was Federal Judge
John Bryant served a subpoena?

4
5 **DIRECT EXAMINATION BY GENERAL HARRIS:**

6 Q. Would you please state your name for the
7 jury?

8 A. Sure, Scott Troxel.

9 Q. And Mr. Troxel, what do you do for a
10 living?

11 A. I'm a realtor.

12 Q. And how long have you been doing that?

13 A. Since 1993.

14 Q. Okay. And do you live here in
15 Nashville?

16 A. Yes.

17 Q. How long have you lived here in
18 Nashville?

19 A. Since about 1984.

20 Q. And did you at one point attend Covenant
21 Presbyterian Church?

22 A. Yes.

23 Q. And where is Cumberland Presbyterian
24 Church located?

25 A. It's located on -- basically just off of

1 Hillsboro Road right by Burton Hills Boulevard.

2 Q. Here in Davidson County?

3 A. Yes, uh-huh.

4 Q. And about how long ago did you attend
5 Cumberland Presbyterian Church?

6 A. Up until October of -- basically about a
7 year ago.

8 Q. Okay. When did you begin attending
9 Cumberland Presbyterian Church?

10 A. June of 2004.

11 Q. Did you ever hold any offices as part of
12 the Cumberland Presbyterian Church organization?

13 A. Sure.

14 Q. What office was that?

15 A. Okay. I was an elder and I think it was
16 from 2005 and actually currently still an elder
17 technically.

18 Q. Okay. And what is an elder, what types
19 of things does an elder do?

20 A. Well, basically in the Presbyterian
21 Church of America we basically have two levels of
22 office, there is the deacon and the elder. The
23 deacons are basically more involved in the business
24 of the church or the operation, and then the elders
25 are basically more responsible for spiritual

1 oversight such.

2 Q. And how long -- you were an elder from
3 2005 until now; is that correct?

4 A. Uh-huh.

5 Q. And if you don't mind telling jury, what
6 is an elder's involvement, if any, in the Session?
7 And tell the jury what the Session is?

8 A. Okay. Sure. The Session basically is
9 the group of elders. You know, some churches you
10 will have a board of trustees or -- or an elder board
11 it's basically a term for a group of elders.

12 Q. Okay. So this would be -- the Session
13 is tantamount to the board of trustees; am I
14 understanding that correctly?

15 A. Right.

16 Q. Is one of the functions of the board of
17 trust determining -- or the Session as it were,
18 determining who may be on the property and who may
19 not be on the property?

20 A. Rarely is that something that we have to
21 discuss, but yes.

22 Q. But it is something that has presented
23 itself?

24 A. Right.

25 Q. Okay. And in the Session did you also

1 hold a position?

2 A. Right. I was considered the -- I was
3 the clerk of the Session which you can think of as
4 the secretary and so the -- the clerk is basically
5 responsible for the minutes of the meetings, also
6 receiving correspondence from members or sending out
7 correspondence from the Session.

8 Q. Okay. Let's discuss a little bit Austin
9 Davis?

10 A. Uh-huh.

11 Q. Do you know Mr. Davis?

12 A. Yes, I do.

13 Q. How do you know Mr. Davis?

14 A. Well, I first met Austin, it was in the
15 90's I was helping him and Katherine look for a home.
16 I don't remember exactly when that was. We looked
17 probably for a couple of months and then the search
18 basically ended. They did not purchase a home.

19 Q. Okay. Did you know them socially
20 outside of that, or personally outside of that?

21 A. No, huh-huh.

22 Q. Would it be fair to say then that and
23 also what brings us to court today, are really the
24 only two ways you know Mr. Davis?

25 A. Yes.

1 Q. Don't talk to him regularly?

2 A. No.

3 Q. Or anything like that. Okay.

4 Would it be fair to say you knew him
5 back in 2008?

6 A. Yes, uh-huh.

7 Q. Did the Session receive a letter from
8 Mr. Davis back in 2008?

9 A. Yes, we did.

10

11 GENERAL HARRIS: Your Honor, may I
12 approach the witness, please?

13 THE COURT: Okay. Get that for him.

14

15 BY GENERAL HARRIS:

16 Q. And Mr. Troxel, I have handed you a
17 document. If you wouldn't mind identifying what that
18 document is.

19 A. This is a letter from Austin on June
20 25th of 2008.

21 Q. Okay. And that letter was addressed or
22 sent to the Session; is that correct?

23 A. Was to the members of the -- it is the
24 Covenant Commonwealth.

25 Q. Okay. Covenant Commonwealth. Okay.

1 GENERAL HARRIS: Your Honor, at this
2 time I would like to move that into evidence as an
3 exhibit to his testimony.

4 THE COURT: Okay. And you have seen
5 that or you want --

6 MR. DAVIS: I'm sorry?

7 THE COURT: You have -- show that to
8 Mr. Davis.

9 MR. DAVIS: Yeah, I have a copy of it.

10 THE COURT: Okay. Mark that as
11 Exhibit 1.

12
13 (Exhibit Number 1 was marked.)

14
15 GENERAL HARRIS: May I publish, Your
16 Honor?

17 THE COURT: All right. Let them get
18 that. Yeah. Go ahead and give that back to the
19 State.

20
21 BY GENERAL HARRIS:

22 Q. Okay. And so --

23
24 THE COURT: You got an extra copy?

25 GENERAL HARRIS: I do.

1 THE COURT: Okay.

2 GENERAL HARRIS: Yeah, you can move
3 that in.

4

5 BY GENERAL HARRIS:

6 Q. And just to be clear Mr. Troxel, this is
7 a copy of the letter you received from Mr. Davis?

8 A. Yes.

9 Q. The Session received from Mr. Davis?

10 A. Yes.

11 Q. Did this letter cause the Session
12 concern?

13 A. Yes, it did.

14

15 THE COURT: Okay. Hang on just a
16 second. Go ahead and expand -- expand that to the
17 border so the jurors on the back don't have any
18 problems seeing it.

19 Just zoom in. Okay.

20 And ladies and gentlemen, you will
21 have -- any exhibit, you will have with you during
22 your deliberation process.

23 All right.

24

25 BY GENERAL HARRIS:

1 Q. I will re-ask the question Mr. Troxel,
2 did this letter cause the Session concern?

3 A. Yes, it did.

4 Q. Why is that?

5 A. Well, this is not the first letter we
6 have received from Austin.

7 Q. Okay.

8 A. Over the many years before that, the
9 Session all members of Covenant at different points
10 had received multiple letters from Austin. And so
11 this was not -- receive ago letter from Austin was
12 not a new thing at all.

13 Q. Okay. At time was this letter
14 considered threatening?

15 A. Yes, it was. In the last -- second to
16 last sentence it says, "Next Sunday would be an
appropriate time for six years of lies and slander to
come to an end".

17 Q. And do you recall what the
18 interpretation of that sentence was to the Session
19 back in 2008?

20 A. Well, we really didn't feel like we
21 could -- we had room to interpret it specifically.
22 But we had members of the body that were very
23 concerned about their safety, about their family's
24
25

This sentence was not a
"threat." Covenant Leaders
chose to keep slandering and
lying for another 11 years to
protect a "Mann Act" Federal
crime cover-up still in progress.

1 safety. Because like I said, this letter didn't just
 2 come to the Session, it went to everybody in the **UNTRUE**
 3 church.

4 So there were parents that were
 5 concerned about the safety of their children because
 6 just -- you know, in 2008 as well as now there is
 always concern as far as somebody taking a vendetta
 to a violent end. We didn't think that would
 ultimately be what would happen, but we didn't feel
 like we could assume that and our members were asking
 for us to make sure that they were going to be safe.

10 Q. So there was a ground swell or a
 11 demanded of sorts amongst the church the do something
 12 about this? **Groundswell?**

13 A. Yes.

14 Q. And I will ask you this: Are you aware,
 15 was Mr. Davis a member of the church at the time this
 16 letter was sent?

17 A. No.

18 Q. So he wasn't even attending there when
 19 this happened?

**Another lie. The Davis family
 was attending Covenant on a
 regular weekly basis.**

20 A. Correct.

21 Q. Based off of this letter, did the
 22 Session make a decision -- and I will ask you this --
 23 well, strike that.

**Uninformed Covenant Members
 were asking the Session to pro-
 tect their children from a "violent
 vendetta" in 2008 but the Session
 did not think a "violent vendetta"
 would ultimately happen?**

1 Based off of this letter, did the
2 Session make a decision as to whether or not
3 Mr. Davis was allowed on the property?

**Fake Trespass Letter with no
Session or Member approval.
See Covenant Board Minutes at
the back of this link. Exculpatory
info was provided to DA.**

A. Yes.

Q. Okay. And what decision was made?

A. That he would not be allowed. We

7 were --

8 Q. Okay. And did you personally draft the
9 correspondence to that letter?

10 A. Yes, uh-huh.

11

12 GENERAL HARRIS: If I could approach.

13 THE COURT: Okay.

14

15 BY GENERAL HARRIS:

16 Q. And Mr. Troxel, if you don't mind, just
17 identify what I've handed you there?

18 A. This is a letter that basically I wrote
and was sent to Austin notifying that he was not
welcome on the property.

**Fake Trespass Letter with no
Session or Member approval.
See Covenant Board Minutes at
the back of this link. Exculpatory
info was provided to DA.**

21

22 GENERAL HARRIS: Okay. And Your Honor,
23 at this time I would like to move that in as an
24 exhibit to this witness' testimony.

25 THE COURT: Okay. And show that to

1 Mr. Davis.

2 MR. DAVIS: His letter. I have that.

3 Thank you.

4 THE COURT: Okay. I just want to make
5 sure you know what he's talking about.

6 All right. Mark that as Exhibit 2.

7

8 (Exhibit Number 2 was marked.)

9

10 BY GENERAL HARRIS:

11 Q. And to be clear here Mr. Troxel, this
12 letter is dated two days after the letter that the
13 Session received from Mr. Davis; is that right?

14 A. Correct.

15 Q. And if you don't mind, just read into
16 evidence what that letter says.

17 A. Sure.

18 This letter serves as notice that
19 henceforth your presence on our church property will
20 be considered trespassing. You are not a member of
21 our church, we do not recognize your letters and we
22 ask that you refrain from further harassment. This
23 will be legally enforced. Sincerely, Scott Troxel,
24 Clerk of the Session.

Clerk Troxel went "rogue" without Session or Member approval. See Covenant Board Minutes at the back of this link. Exculpatory info was provided to DA.

Q. And you didn't have any further contact

1 with Mr. Davis after this letter was sent; is that
2 correct?

3 A. No, no direct.

4 Q. For some period of time he abided by the
5 terms set forth in that letter; is that correct?

6 A. Well, no.

7 Q. Okay.

8 A. No. It was shortly thereafter we -- in
9 the letter that Austin had written, he had referenced
10 a particular Sunday we were going to have a
11 congregational meeting. And so even though he had
12 received this letter, he did come on the property.

13 Q. Okay. So shortly after he received it,
14 he was back on within how long?

15 A. You know, I don't recall. It was -- it
16 was from what I recall it was within a week or two.

17 Q. Okay. So a very short period of time
18 afterwards?

19 A. Yes.

20 Q. Now, was he awe rested or charged or
21 anything at that time?

22 A. He was escorted off of the property. **Assaulted,
not escorted.**

23 Q. By church personal or --

24 A. No, we had some plain clothes officers.

Q. They just took him off?

**See June 25, 2008 letter at the
back of this link. There is no
reference to a congregation
meeting in the letter.**

**Covenant Deacon Matt Anderson
said there were about 10 unknown
members of the secret armed assault
Unit. Police provided the names of
two: Juan Knight and Troy Stackhouse.
Did Nashville Police Officers assault
the Davis Family at the front door
of a public Sunday church service?**

1 A. Yes.

2 Q. Have you had any contact with Mr. Davis
3 since this happened?

4 A. No.

5 Q. He's -- excuse me. I will ask you this
6 too: Is there a school located on the premiss of
7 Covenant?

8 A. The Covenant School.

9 Q. Okay. And what type of school is that?

10 A. It's a K through I think 4th or 5th.

11 Q. Okay. And again, as the clerk -- as
12 being a member of the Session and being an elder of
13 the church now for ten years -- nine years -- excuse
14 me 13 years, it's your understanding, your belief
15 that the Session is well within it's power to ask
16 Mr. Davis not to be there?

17 A. Yes.

18

19 GENERAL HARRIS: Those are my questions
20 for this witness, Judge.

21 THE COURT: All right. Questions,
22 Mr. Davis.

23

24 **CROSS-EXAMINATION BY MR. DAVIS:**

25 Q. Mr. Troxel, what is the denomination?

1 A. Presbyterian Church of America.

2 Q. And can you give me a little history of
3 that denomination, when it was founded?

4 A. I believe it was founded in either the
5 late 70's or early 80's.

6 Q. Do you know where they first met when
7 they found it?

8 A. As far as the very first PCA church?
9 No, I don't.

10 Q. Yes. First PCA meeting and the
11 constitution of the church was formed?

12 A. No.

13 Q. Are you a member of the League of the
14 South?

15 A. The what?

16 Q. Are you a member of the League of the
17 South?

18 A. No. I don't know what that is.

19 Q. Are you a supporter or anything with the
20 Kershaw Foundation?

21

22 GENERAL HARRIS: I'm going to object to
23 relevancy.

24 THE COURT: Do you care do be heard,
25 Mr. Davis about how that is relevant?

1 MR. DAVIS: Well, this is about banning
2 people and there is a history inside the PCA of
3 blocking people and banning.

4 THE COURT: Well, the specific question
5 was about the Kershaw?

6 MR. DAVIS: Yeah.

7 THE COURT: Does that have something to
8 do with the Presbyterian --

9 MR. DAVIS: There is a guy named Jack
10 Kershaw was a big attorney, and he defended James
11 Earl Ray and so I'm just asking if he --

12 THE COURT: No, what I'm trying to
13 figure out, does that have anything to do with
14 Presbyterians of America?

15 MR. DAVIS: Sure. They are down in
16 Birmingham. That's where they had their first
17 meeting back in 1973.

18 THE COURT: Okay. So do you want to
19 know if Mr. Troxel is a member of the Kershaw --

20 MR. DAVIS: I'm asking if he's a member
21 of the PCA and there are people that affiliated
22 members, and I'm just asking him because there is a
23 history of --

24 THE COURT: But your question was: Is
25 he a member of the Kershaw Foundation?

1 MR. DAVIS: Yeah.

2 THE WITNESS: No. I don't know what
3 that is.

4

5 BY MR. DAVIS:

6 Q. Do you go by -- do you all go by
7 session, an elder or is there anything else that you
8 call yourselves?

9 A. The Session or elders.

10 Q. You all don't use the word "ruling"?

11 A. Yeah, we have ruling elders and teaching
12 elders.

13 Q. Is there a reason why that word ruling
14 is in there and maybe doesn't have a softer term? Is
15 there some --

16 A. You know, I don't know the origination
17 of it. Basically there is -- the teaching elder
18 would be the pastors, and the ruling elders would be
19 those that are there to basically for government
20 purposes. Church government. That's not a term
21 that's special to Covenant Presbyterian.

22 Q. You testified a minute ago that there
23 was -- or he said there was a ground swelling?

24 A. Uh-huh.

25 Q. I think you said that people -- members

1 were concerned?

2 A. Uh-huh.

3 Q. And that caused you to write the letter
4 to me?

5 A. Yeah, the Session basically approved for
6 me to write the letter.

UNTRUE. Clerk Troxel went "rogue" without Session or Member approval See Covenant Board Minutes at the back of this link. Exculpatory info was provided to DA.

7 Q. They did?

8 A. Uh-huh.

9 Q. Did you call the police?

10 A. No. No.

11 Q. You just testified that people are over
12 there in terror and afraid that I was going to come
13 over there and do something to their children, so it
14 wouldn't --

15 A. Well, the members -- the members of
either the diaconate or the Session that were tasked
with that did -- did arrange for security.

Covenant Deacon Matt Anderson said the deacons were not informed.

18 Q. So the ruling elders whenever they feel
19 like somebody might be coming out here to come up and
20 shoot up a church or something like that that
21 happened down in Charleston, they are going to handle
22 it on their own; is that what you all do internally?

23 A. No. No. We felt like that was the
24 appropriate measure to take.

25 Q. Well, he's already lead off today about

1 fear. And so you've got a school there, I mean
2 I'm -- I'm not agreeing to things that are being said
3 in there, but I'm just asking naturally, because I
4 like kind of logical natural things.

5 So if the school in town thought there
6 was going to be a threat, did that call the police
7 department, do they go get their own body guards?
8 What happens in those kind of circumstances? And so
9 you all didn't call the police?

10 A. This was the measured response that was
11 recommended by an attorney. And we had sent the
12 letter to you letting you know about the trespass
13 and --

Q. Who was the attorney?

A. There was Worrick Robinson was one of
the attorneys that was consulted.

Q. He is the Vanderbilt rape attorney?

A. I don't know him as that.

19 Q. You read the -- I think the letter may
20 have been handed, I don't know I'm just looking at
21 it. I wrote it. I remember it . It says after six
22 long years is way it begins, I have prayerfully and
23 reluctantly provided you and older members of the --
24 other members of the commonwealth have serious and
25 true information regarding events which occurred in

2008 Covenant Member Worrick Robinson was ex-Judge Casey Moreland's Attorney in a 2018 Federal Trial on "public corruption." Casey Moreland was convicted and is now serving time in Federal Prison.

Austin Davis was secretly banned from the Vanderbilt Rape Trials as part of the on-going "Mann Act" Federal crime cover-up.

1 the Lord's house.

2 Were you an elder at Covenant in 2002?

3 A. No.

4 Q. 2003?

5 A. No.

6 Q. 2004?

7 A. I think it was 2005 when I became an
8 elder.

9 Q. Is it possible you missed something?

10 A. Well, I wasn't present at that time as
11 far as 2002.

12 Q. I mean, I know this is going to be --
13 this is my letter, it's pretty demonized in
14 Nashville, but it could be a letter that the jury or
15 anybody could look at and go, hmm, there is a guy
16 here that's been very patient. And has asked
17 questions and submitted to his church government and
18 it could be viewed not as a dangerous threat letter,
19 it could be viewed as somebody who is actually
20 concerned about something going on in a house with
21 ruling elders and other people, maybe information
22 isn't getting to people. Could it be perceived that
23 way?

24 A. No, I think it was received as an
25 escalation and that we had received enough

1 correspondence from you over a long period of time
2 and that seemed like an calculation, that was the
3 concern.

4 Q. So when a person is an officer in the
5 church as -- you are elected by the people, right the
6 people elected you?

7 A. Yes, uh-huh.

8 Q. Do they elect you to go in there and
9 view -- when you take that office, do you have a
10 fiduciary responsibility and a stewardship
11 responsibility and actually a responsibility where
12 you could kind of watch out for what's going on in
13 the house of God? Do you have that?

14 A. Sure.

15 Q. So, I was also dually elected to and was
16 serving as a deacon.

17 A. Uh-huh.

18 Q. And so would it be abnormal for a person
19 in that kind of a position to be putting things down
20 on paper, keeping a documented trail and writing
21 information and sending it and making appeals inside
22 of that government?

A. I would say it would be abnormal, yes.

Q. You would say what?

A. I would say it's abnormal.

**If it is abnormal to follow
the appeal process prescribed
by the PCA Book of Church
Order, why are PCA Officers
trained and provided the
Book?**

1 Q. You think it's abnormal to make appeals
2 within the church?

3 A. Just the manner in which you are
4 approaching it, yes.

5 Q. Is it abnormal to resign from your
6 office because you don't want to be part of and are
7 very concerned about what leadership is doing?

8 A. That's not abnormal, no.

9 Q. Huh?

10 A. No, that's not abnormal. I mean, most
11 officers continue to serve, but it is -- it is common
12 for officers to resign.

13 Q. I resigned in 2006?

14 A. Uh-huh.

15 Q. You told the jury a minute ago, and I
16 guess when the DA asked the question that I wasn't a
17 member?

18 A. I think he asked if you were no
19 longer --

20 Q. A member, but you said I wasn't
21 attending?

22 A. I don't think that's what I said.

23 Q. Huh?

24 A. I don't think that's what I said.

25

Q. So he wasn't even attending there when this happened?

A. Correct.

2 MR. DAVIS: Can we go back and somebody
3 look and read something or what the specific question
4 was?

5 THE COURT: He was asked about whether
6 or not you were a member on June 25th, '08, he said
7 you were not a member at that time. So do you have a
8 question about --

9 MR. DAVIS: I thought he said something
10 a little later that I wasn't attending, it was when
11 he got asked about when that letter got written.
12 Because the letter that I wrote was on the 25th and
13 on the 27th, which I believe was a Friday, when I got
14 the call --

15 THE COURT: The jury has heard what he
16 said, but what is your question? Are you wanting to
17 ask whether you were attending?

18 MR. DAVIS: No. I thought he told the
19 jury that I was not attending.

20 THE COURT: Okay. Well, they have
21 heard it. What is your question to this witness?

22 MR. DAVIS: He said that I just showed
23 up within the next few weeks, it was the following
24 Sunday it was on the 29th.

25 THE WITNESS: Okay.

 THE COURT: Okay. So what is your

1 question?

2

3 BY MR. DAVIS:

4 Q. Do you remember me coming the two days
5 later on the 29th?

6 A. Yes. Yes, I do.

7 Q. And how many people did you all have
8 there to stand up against me and my wife and my two
9 children?

10 A. Two or four is what I recall.

Deacon Matt Anderson said
there were about 10 unknown
members of the secret armed
assault unit.

11 THE COURT: Maybe I need to ask, what
12 do you mean stand up?

13 THE WITNESS: Well, I think what he
14 means is --

15 MR. DAVIS: Blocked you at a front door
16 of a church and tell you can't come in.

17 THE COURT: I'm just asking to make
18 sure that the jury is clear. Y'all seem to be clear,
19 you and the witness, but what do you mean stand up?

20 THE WITNESS: Well, I think what he
21 means is security personnel.

22 THE COURT: Okay. So you're saying
23 there were two to four.

24 THE WITNESS: Yeah two to four, that's
25

1 what I recall.

2 THE COURT: Okay. Go ahead. I just
3 wanted to clarify that for the jury. Go ahead.

4

5 BY MR. DAVIS:

6 Q. Was commonwealth informed that?

7 A. What do you mean by commonwealth.

8 Q. That's what it's called, it is people.

9 A. Do you mean the members of the
10 congregation?

11 Q. The voting members of the congregation,
12 they are a commonwealth, were they informed?

There was a "groundswell" of
fear but 1000+ members were
not told about security threat?

13 A. I don't think they were informed that
14 there was going to be security personnel present.

15 Q. Is the Presbyterian Church of America a
16 private club or is it an open club, do you have a
17 public call to worship, do you have a private call to
18 worship? Exactly what goes on at the Presbyterian
19 Church of America? How does it operate on Sunday?

20 A. It's an open.

21 Q. Anybody can come?

22 A. Yes, uh-huh. Unless they have been
23 specifically told they are not welcome as we
24 communicated to you. That's definitely the
25 exception.

1 Q. Your name is on the letter, is your name
2 on the property deed? **The DA Prosecution team did
not provide the jury with a
property deed as evidence.**

3 A. No.

4 Q. Is the sessions named on the property
5 deed?

6 A. I don't know.

7 Q. You don't know? You a real estate guy
and you're coming into court and you don't know?
You've never seen the deed?

8 A. I've not looked at the deed, no.

9 Q. Don't you think that the Clerk of the
10 Session, it's kind of important for you to know
11 things like that, especially if you are banning
12 people?
13
14

15 A. I don't think it's important for me to
16 read the deed, no, not as the clerk of the Session.

17 Q. Where would you get the authority to
18 tell people they can't come to a church property?
19

20 GENERAL HARRIS: Judge, I'm going to
21 object to form, we are just getting --

22 THE COURT: Okay. Go ahead. Do you
23 understand the question? Where do you get the
24 authority, is that what your question?

25 MR. DAVIS: This is a nonprofit

**How do the jurors know
who really owns the
Covenant Property if the
DA did not show them
a property deed?**

1 registered the State and --

2 THE COURT: I'm not -- is that your
3 question?

4 MR. DAVIS: Yeah. Where does he get
5 the authority?

6 THE WITNESS: The congregation votes on
7 the elders. Once you become an elder, it's
8 considered an -- you're in office for life and the
9 Session itself basically elects the clerk for certain
periods of time and so the Session had elected me as
clerk and basically it authorized me to write the
letter and it was sent to you. **UNTRUE**

Scott Troxel continued to lie that the Covenant Session authorized him to write the 2008 trespass letter, but Scott Troxel's own Session Minutes impugned his own sworn testimony.

13

14 BY MR. DAVIS:

Scott Troxel testified to convict and jail an innocent man for up to a year, but he didn't know the property rules from his own church by-laws?

Q. So you've read the Book of Church Order?

A. I'm very familiar with it, yes.

18 Q. Are you familiar with chapter nine about
the deacon, which was my office?

19 A. You know, I don't know the Book of
20 Church Order by chapter and specific point.

21 Q. There is a specific point in there that
22 nothing can be done with the church property without
23 the consent of the congregation. Did you all get the
24 consent of the congregation?

25 A. I think that the Session -- if you look

1 at the portion about the Session, the Session does
2 have that authority.

3 Q. Well, then why does it have the deacons
4 where they have to get the consent of the Session --
5 the congregation and the approval of the Session
6 before they do anything regarding the property?

7 A. I'm just not familiar enough with the
8 book -- the Book of Church Order to be able to argue
9 that. But from what I've seen in the Book of Church
10 Order, the Session does have the authority to do
that. They have to take matters of real estate to
the congregation for a congregational vote. But as
13 far as nothing within the BCO, that's acronym for
Book of Church Order, limits the Session from
prohibiting somebody to coming on the property.

17 Q. So just any -- there on that church,
18 even there, there are some very specific -- why are
19 the deacons created? Why would they give them that
20 kind of authority? Why would they say be in there
21 and be watch dogs and watch out for the congregations
22 property? Because that's exactly what it calls it.
23 It's not the deacons property and it's not the
24 Session's property. So why would Presbyterians, why
would they have the decon's as the stewards over it?

25 A. I don't know.

Secretly banning a member or visitor from a public worship sanctuary is not an important "real estate matter?"

The PCA Book of Church Order does prohibit the use of civil authority to enforce spiritual discipline. Spiritual leaders used civil authority to kill Jesus.

1 Q. And you have been an elder for ten
2 years?

3 A. Uh-huh. Yeah.

4 Q. Were you ever a deacon?

5 A. Yes, I was a deacon.

6 Q. Did you ever run anybody off of the
7 property because you didn't like the way they looked?

8 A. No.

9 Q. You ever asked anybody to leave the
10 property beforehand?

11 A. No.

12 Q. In this particular case, the Session got
13 together after letters written to members of the
14 church telling them that there is a very serious
15 scandal that's gone on in the church for six years,
16 and all of the sudden we've got guards at the doors
17 and trespass letters being sent?

18 A. Yes.

19 Q. That's just normal and --

20 A. No, that's not normal.

21 Q. What were you guys hiding then?

22

23 GENERAL HARRIS: Objection.

THE COURT: Okay. What is your
objection?

Motion in Limine 4 was granted to the DA's Prosecution Team a few days before the trial began. Defendant Austin Davis was prohibited from saying anything about the child sex abuse cover-up as the "Mann Act" Federal crime cover-up continued in court protected by the DA's Office. See Page 4 and 5 of this link.

1 GENERAL HARRIS: Speculative nature of
2 the question.

3 THE COURT: Okay. I -- he can answer
4 it. Do you know of anything that --

5 THE WITNESS: We were hiding nothing. A LIE.

6

7 BY MR. DAVIS:

8 Q. You what?

9 A. We were hiding nothing. A LIE.

10 Q. I mean, I didn't introduce this into
11 evidence, you introduced it into evidence.

12

13 THE COURT: What is your question?

14 MR. DAVIS: I'm just trying to ask
15 questions.

16 THE COURT: Okay. Go ahead.

17 MR. DAVIS: Well, right now I feel very
18 limited because I've been in pre-trial motions and
19 he's just told me that --

20 THE COURT: What questions you wanting
21 to ask?

22 MR. DAVIS: Are -- I want to ask him
23 what happened to the child molester that went to
24 Arizona in April of -- right before all of this
25 happened to me? He went to Arizona for treatment.

1 THE COURT: All right. Why don't you
2 break that down into -- you're making assumptions
3 through the question.

4 Do you know anything about a child
5 abuser?

6 THE WITNESS: I know what he's talking
7 about. But I don't know anything about Arizona or
8 what you mentioned.

9 THE COURT: Okay. Can you answer his
10 question as it's worded?

11 THE WITNESS: I --

12 MR. DAVIS: It's a very direct
13 question. There was a child sex --

14 THE COURT: Why don't you rephrase it.
15 I may have messed it up.

16 THE WITNESS: Did you say --

17 THE COURT: Rephrase your question.
18 What are you wanting to ask?

19 *In an abundance of caution, protected*
information is REDACTED in submission
20 *to Attorney Larry Crain's permanent*
injunction request granted on 9/24/2018.

20 BY MR. DAVIS:

21 Q. I want to know if you know about **REDACTED**
22 , the coauthor of Mike Huckabee that is a child
23 molester that the church put children in his home and
24 he went off to Arizona and got treatment in April of
25 2008?

1 THE COURT: Okay. Hang on. Do you
2 know anything about a REDACTED ?

3 MR. DAVIS: REDACTED .

4 THE WITNESS: I know what he's talking
5 about.

6 THE COURT: Okay. Well, answer that
7 first and then we can go forward.

8 THE WITNESS: So was it: Do I know, is
9 that what you --

10

11 BY MR. DAVIS:

12 Q. Well, y'all --

13 A. I'm sorry, I --

14 Q. I'm asking about six years of my concern
15 about children?

16 A. I'm just trying to remember if you are
17 asking, did I know him?

18 Q. You said there is nothing that you were
19 hiding. So I'm asking you: Okay, do you know about
20 that?

21 A. Yes, I do.

22

23 THE COURT: And the question is, just
24 so I'm clear: Who is REDACTED ?

25 MR. DAVIS: He's a coauthor with --

The transcript seems inaccurate. The Defendant would like to see the trial video-audio recording of the trial but the court reporter said no. The State of Tennessee clearly has an advantage over a Defendant during a trial.

1 THE COURT: No, I'm not -- I'm trying
2 to help you break it down into.

3 MR. DAVIS: Okay. I'm sorry.

4 THE COURT: Break it down into snippets
5 of questions.

6 THE WITNESS: Sure. REDACTED was a
7 former member, he was a deacon and he revealed to the
8 Session that he --

9 THE COURT: He what? I didn't
10 understand what you said, revealed?

11 THE WITNESS: Well, no, no, no.
12 Actually I don't think he revealed. I'm trying to
13 recall how we found out, but basically we learned
14 that he had molested REDACTED .

15 THE COURT: Okay. What is your next
16 question?

17 BY MR. DAVIS:

18 Q. Do you know if there are any other
19 children molested because the church was putting
20 people in his safe house?
21

22 A. I'm sorry, what?

23 Q. You've already told me you weren't
24 hiding anything, and now you're telling me you know
25 something like that, that's kind of important to

Child sex abuse therapist Caroline Post Cone testified Covenant Pastor Larry Ferris called her for help in April 2008. Judge Thomas Brothers provided the sworn testimony to DA Glenn Funk in Sept 2018, but the DA's Office will continue to defend the "malicious prosecution" on July 12, 2019, before Judge Cheryl Blackburn.

1 know. Did anybody call the police?

2 A. About what?

3 Q. About **REDACTED** ,

4 A. Well, he -- this had been relayed to us

5 after **REDACTED**

6 Q. So you all don't report molesters to the

7 police?

Asst DA Harris heard sworn testimony proving a child sex abuse cover-up but he still pushed harder for a "malicious prosecution," and will still defend the "malicious prosecution" on July 12, 2019.

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GENERAL HARRIS: Your Honor, I mean, I've let this go on. The Court has ruled on this.

THE COURT: Well, yeah, I mean, I have.

I think Mr. Davis has a right to -- for the jury to try to understand, and I'm trying to facilitate this. What's meant by this first sentence in this letter is what he's talking about and what was brought up.

So I think in your questions, Mr. Davis, you are putting assumptions and things that this witness hasn't talked about. So if you can make your questions more succinct, maybe we can get on here.

MR. DAVIS: I'm responding to him saying we are not hiding anything.

THE COURT: Okay. So your question is what?

MR. DAVIS: Well, the DA has just been in the --

1 THE COURT: No, I'm not -- I'm just
2 asking you what your question is?

3
4 BY MR. DAVIS:

5 Q. Did you and the Session and your lawyer,
6 Worrick Robinson pick up the phone and call the
7 Nashville police and report a known child molester
8 back in 2008 before police were used on me?

9 A. Basically, I don't recall exactly what
10 we did or what we learned at the time. I know that
11 everything we did was vetted by an attorney. I don't

What if the Covenant Attorney
was wrong or deliberately lied?

12 remember if it was Worrick Robinson or who at the
13 time. But the statute of limitations or -- had run
14 out is my understanding from what I recall on the
15 offense and **REDACTED**.

16 And so there was not a burden on the Church's part,
17 from what I recall, to contact the authorities on
18 that. And he was immediately removed as a deacon. **UNTRUE**

What if Covenant Leaders did
have a burden to report a
child-molester?

19 Q. Do you know when that was?

20 A. I don't recall, no.

21 Q. You ever seen any board minutes? We've
22 got something here that I --

A. Yeah.

MR. DAVIS: Am I able to present the

It was at least one year before
the child-molester resigned, and
3 years before he was excommuni-
cated. The molester is still free
to attend Covenant, but Nancy
Fleming, Catherine Davis, Daisy
Davis, and Austin Davis are still
banned and publicly declared to
be "ignorant and scandalous" by
Covenant Leaders.

1 board minutes from that meeting?

2 THE COURT: You wanting to show him
3 something?

4 MR. DAVIS: Yeah.

5 THE COURT: Okay. What is that?

6 And does the State -- show that to
7 the -- see if that have that or want to see it.
8 (Document passed.)

9 All right. What is your question?

10

11 BY MR. DAVIS:

12 Q. Can you tell me when that board meeting
13 was?

14 A. This says July 14th, 2008.

15 Q. And who was in that board meeting as
guest at the church property?

A. It says Worrick Robinson, provided
background concerning Austin Davis.

Q. Who else was there? It's got guest over
there on the --

21 A. Oh, yeah.

22 Q. Worrick was one of the guests and then
23 who was the other?

24 A. And then Officer Tony Chec (phonetic)
25 with Metro Nashville Police.

2008 Covenant Member
Worrick Robinson was
ex-Judge Casey More-
land's Attorney in a 2018
Federal Trial on "public
corruption." Casey More-
land was convicted and is
now serving time in Federal
Prison.

1 Q. So a police officer came to a church
2 board meeting?

**How many times did Nashville
Police Officers attend Covenant
Meetings?**

3 A. Yes.

4 Q. And then it's got my name down there
5 where I am being discussed; is that right?

6 A. Yes, uh-huh.

7 Q. Do you want to read that so everybody
8 can hear what they are discussing about?

9 A. Let's see, it says: Worrick Robinson
10 provided background concerning Austin Davis.
11 Mr. Robinson advised that the Session's response to
12 the perceived security concerns did not have to be
13 the strongest legal response available, but a
14 reasonable response is necessary. After a full
15 discussion, deacons left the room for a session to
16 continue this dated meeting.

17 And so this was on July 14th. I believe
18 the letter you sent was on the 25th of June.

19 Q. June the 25th.

20 A. Right. So this would have been in our
21 stated meeting, I believe.

22 Q. A couple of weeks later?

23 A. Yeah, uh-huh. This is in our regularly
24 scheduled session meeting.

**Per the Session Minutes for May
19, 2008, the next Session meeting
was originally set for July 21, 2008,
but it got moved up to July 14th
to manage the cover-up crisis.**

Q. And do you see anything on there about

1 **REDACTED** ?

2 A. One of the items is to accept
 3 **REDACTED** 's resignation from the diaconate. **Was the protected child-molester
 banned? Answer: No.**

4
 5 THE COURT: From the what?

6 THE WITNESS: Diaconate, that's the
 7 group of deacons. That's the plural of the group of
 8 deacons.

9
 10 BY MR. DAVIS:

11 Q. Does it say anything in those minutes
 12 about telling Officer Chec or Worrick Robinson who I
 13 think is the, the Union police guy or whatever,
 14 represents the police when they go before the board.
 15 Does it say anything there at all about them
 16 reporting a known child molester to the police or is
 17 all of the attention in that board meeting focused on
 18 me?

19 A. There is -- no there is no mention in
 20 the minutes. We may have gone into an executive
 21 session concerning that.

22 Q. What does that mean? What does that
 23 mean when you go to executive session?

24 A. Executive session is basically when any
 25 guests are asked to leave.

1 Q. Like people that would come to the
2 meeting and be sitting there and hearing some of this
3 and then they leave the room?

4 A. Sure. Yeah.

5 Q. What gets talked about in those kind of
6 meetings? Do you keep minutes?

7 A. Oh, yes, we do.

8 Q. How do you get -- how does anybody get
9 them then that's in the church? How do you get
10 access to those kind of minutes?

11 A. I would say as far as executive sessions
12 are concerned the presbyteros have the opportunity to
13 look at them. But as far as individual members, I
14 would say it wouldn't be without the approval of the
15 Session.

16 Q. So it is normal practice that the PCA
17 that if you've got a child molester in your mist you
18 let that guy resign, you don't report him, but then
19 you take somebody else who is asking questions, and
20 you make him into a terror threat?

21

22 GENERAL HARRIS: I'm going to object to
23 form.

24 THE COURT: Okay. What they are
25 objecting to is the way you are phrasing the

1 question. So do you want to rephrase it?

2 MR. DAVIS: I'm sorry. I'm not
3 trained.

4
5 BY MR. DAVIS:

6 Q. What -- how does it get termed -- it
7 gets reported as threats and who are the real
8 threats? I mean, how do you -- I'm just trying to
9 ask: You all didn't deem **REDACTED** a threat to
10 anybody?

11 A. Well, sure. Yes.

12 Q. What did you do?

13 A. Well, we did take action. He was no
14 longer a deacon. And also I mean, I'm trying to
15 think what else -- other actions we took at that --

Q. Did he --

THE COURT: Hang on let him finish.

THE WITNESS: I don't recall the timing

20 of when **REDACTED** left the --

21 MR. DAVIS: Can I help his memory? I
22 have another document I would like to --

23 THE COURT: Okay.

24 THE WITNESS: Well, he may have been
25 excommunicated from what I recall.

The child-molester was a "threat" to children but Covenant Leaders did nothing but to protect him as they falsely gaslighted and defamed Defendant Austin Davis. Still going on as the "Mann Act" Federal cover-up crime continues in 2019.

1 BY MR. DAVIS:

2 Q. Do you recall when that was done?

3 A. No, I don't recall specific dates on
4 that.

5 Q. The next week when he got back from
6 treatment or...

7 A. Like I said, I don't recall.

8 Q. Okay. (Document passed.)

9
10 GENERAL HARRIS: Me we approach, Your
11 Honor?

12 THE COURT: Okay.

13
14 (Whereupon, the following bench
15 conference was conducted out of the hearing of the
16 jury:)

17
18 GENERAL HARRIS: Judge, I don't object
19 to the document itself. I do object to a document
20 not in its unredacted form. There are notes written
21 in the margins and a bunch of commentary on the side.

THE COURT: You are just wanting to
show him this?

MR. DAVIS: I'm sorry?

THE COURT: You are just wanting to

The Asst. DA had the exculpatory
excommunication document but
the Asst. DA still submitted the
Motion in Limine 4 document
pressing hard with a vicious
"malicious prosecution" under
the color of law. At least the
Duke Lacrosse prosecutors
finally backed off, but not in
Nashville.

1 show him this to ask him about -- refresh his memory
2 about the date?

3 MR. DAVIS: Yeah. Because it's two
4 years later.

THE COURT: Okay. He just doesn't want
this admitted with your notes on it.

MR. DAVIS: That's fine.

THE COURT: You're not wanting this
admitted, you are just wanting to show this witness?

MR. DAVIS: Well, I would like to get
it admitted, I can white it out. I have whiteout.

THE COURT: Okay.

GENERAL HARRIS: There is something on
the second page.

MR. DAVIS: I can white it out. I got
whiteout over there.

THE COURT: What is this?

MR. DAVIS: That is the actual where
did -- what they read to the congregation.

THE COURT: Okay. Well, let's -- okay.
You can step back.

MR. DAVIS: Huh?

THE COURT: You can step back.

24
25

The excommunication document was admitted as an exhibit but the jury could only focus on the aggravated trespass charge, not the child sex abuse. The jury was out about 4-5 hours, and the Davis family saw Judge Kelvin Jones come over to the criminal court building and go upstairs. Did anyone go inside with the jurors during deliberation?

1 (Whereupon, the following was conducted
2 within the hearing of the jury:)

3
4 THE COURT: All right. You are
5 wanting, Mr. Davis, to show Mr. Troxel this in terms
6 of the dates?

7 MR. DAVIS: Yeah. And I would like to
8 have it presented. Like I said, I've got whiteout.
9 I've got some notes written on there, but I can white
10 them out if that's problem.

11 THE COURT: Okay. Well, let -- don't
12 worry about the handwriting on there. What is your
13 question?

14
15 BY MR. DAVIS:

16 Q. I want to know if that helps him
17 remember how long it was before REDACTED was
18 excommunicated from Covenant?

19 A. This is -- the congregational meeting
20 was held June 6th, 2010.

Two years and two months after
Pastor Larry Ferris contacted child
sex abuse therapist, Caroline Post
Cone, the "Mann Act" Federal crime
cover-up was still on-going full speed.

THE COURT: And what was done then?

21 THE WITNESS: I'm sorry. There was a
22 congregational meeting part of -- and the purpose was
23 to inform the congregation that the Session had
24
25

1 excommunicated **REDACTED** .

2
3 BY MR. DAVIS:

4 Q. And can you read what they said? That's
5 done in front of a meeting of people in the church.
6 Can you read what it says on the second page down
7 there? What they -- what as the congregation, right,
8 did all of the congregation get together just like we
9 did before the hearing, you all got together and
10 heard everything and then decided to excommunicate;
11 is that how it works?

12 A. Just a moment. Let me read this.

13 I'm sorry what was the question?

14
15 THE COURT: Is that what was read to
16 the congregation?

17
18 BY MR. DAVIS:

19 Q. For those of us who might not go to
20 church right now or haven't been in this PCA ruling
21 elder group deduce an act like that, to execute and
22 be able to read it in public, you are reading it in
23 church, right? You have a meeting and all of the
24 people coming and you read that to every body, so you
25 are pronouncing a --

1 A. Yes.

2 Q. -- decision --

3 A. Right.

4 Q. From the rulers?

5 A. Right.

6 Q. And so you are coming -- and that means
7 there has been some kind of internal court case
8 that's gone --

9 A. Exactly.

10 Q. Empowered but what they are actually
11 doing, is they are excommunicating him and cutting
12 him off from the Lord's table and saying you can't
13 have -- you can't have the wine, you can't have the
14 bread, you are cut off?

15 A. Correct. Correct.

16 Q. And so that was in June 6th, 2010?

17 A. Yes. Uh-huh.

18 Q. And can you read what the pronouncement
19 of the judgment was?

A. Okay. Sure. It says where as **REDACTED**
has confessed committing heinous and repetitive
sin against **REDACTED** and has not shown evidence of
repentance, the Session of Cumberland Presbyterian
Church has declared he is excluded from it's acumen
and cut off from the fellowship of the church. **Transcript accuracy?**

More rock-solid evidence supporting a "heinous and repetitive" child sex abuse cover-up was provided to DA Harris in the courtroom but he still pushed harder to win a "malicious prosecution," and DA Harris will still defend the "malicious prosecution" on July 12, 2019 before Judge Cheryl Blackburn.

1 This session has taken this action with
2 sorrow and the desire to see him repent and return to
3 Christ and the fellowship of his church.

4 Q. And that action was taken two years
5 later?

6 A. Yes. Yes.

7 Q. No police was called?

8 A. No.

9 Q. Now, does it say in there -- does it say
10 he has shown no evidence of repentance? Is that what
11 that line says?

12 A. Yes, it's what it says.

13 Q. So for two year, he's been in the church
14 amongst leadership and you got there -- private
15 school up there that lots of children were coming to?

16 A. No, he was not in leadership.

17 Q. He had access to the children and he was
18 around them. And did you get out and tell everybody
19 in the church he had molested children?

20 A. Not that -- not from what I recall. He
21 was given the opportunity. First of all, there is an
22 opportunity for him to reconcile with his wife. And
23 I believe, from what I recall is basically **REDACTED** just
24 stopped engaging. He was no longer coming to church
25 and basically was not responding to any of the

The molester did continue coming to Covenant. The Defendant was told in 2012 that the molester and Jim Bachmann were still meeting with each other.

1 overtures from the Session. It's part of the process
 of discipline basically. And it was his lack of
 response that basically lead to this decision, this
 action.

The molester was finally excommunicated for not responding and coming to church, not for child-molesting?

5 Q. And so it says he shows no evidence of
 6 repentance?

7 A. Uh-huh.

8 Q. And you all excommunicated him?

9 A. Correct.

10 Q. And turned him loose on the streets of
 11 Nashville without anybody knowing about him?

12 A. There was nothing -- from what we were
 informed, there was nothing that could be
 communicated as far as to the police because

The "Mann Act" does not have a statute of limitations for child sex abuse.

Nashville Police were a part of the "Mann Act" Federal crime cover-up.

15

REDACTED

16 Q. But you all have no problem talking to
 17 the police about me?

18 A. Correct.

Clerk Troxel lies again in front of the DA Prosecution Team and Judge Dozier after providing sworn testimony that he knew about the child sex abuse.

Q. But you weren't hiding anything?

A. Nope.

22 Q. You just -- this is just totally
 23 disconnected. You are down there and you just fire a
 24 letter off because I wrote a letter and said
 something has been going on here for six years --

25 A. Like I said --

1 Q. -- and that goes back to 2002? How many
2 years were there be kids that could possibly --

3
4 THE COURT: Hang on. You are asking
5 multiple questions. Let him answer the one you had
6 asked. Go ahead.

7 THE WITNESS: Just the pattern on your
8 part of essentially harassing parishioners before

9 **REDACTED** ever came to light, that situation ever
10 came to light, you were already harassing members.

11 As far as anytime anybody would join the
12 congregation, you would add them to your e-mail or
13 mailing list and begin to hit them as well, whether
14 it's e-mails or letters.

15
16 BY MR. DAVIS:

17 Q. So the PCS perceives people who care
18 about children, who stand up and speak out about it
19 that they proceed -- I didn't know about the
20 molestation at that time, all I was asking was what
21 about these other children placed in this house
22 because I was concerned about them because I saw some
23 signs that bothered me. So what you're telling me
24 was that you guys knew about it, I didn't. But
25 that's the way you all handled child molesters?

Scott Troxel goes on offense to blame Austin Davis for bringing the child sex abuse "to light."

More lying. Austin Davis did not do this prior to the Troxel 2008 trespass letter.

Clerk Troxel lied again in front of the DA Prosecution Team and Judge Dozier after providing sworn testimony that he knew about the child sex abuse.

1 A. No. That's --

2

3 THE COURT: Okay. He's answered that.

4

5 BY MR. DAVIS:

6 Q. How do you handled child molesters?

7

8 THE COURT: You talking about generally

9 or **REDACTED** ?

10

11 BY MR. DAVIS:

12 Q. I want to know what the PCA does. I

13 want to know what you do. What is your -- what is

14 your -- what is your operational standard procedure

15 when child molesting going on? **The Presbyterian Church in America
(PCA) has covered up child sex abuse
using "relational restoration."**

16

17 GENERAL HARRIS: Judge, again, we have

18 so far into the --

19 THE COURT: Okay. I will sustain the

20 objection. This isn't about what they do every

21 single time they might become aware of some

22 allegation.

23 What is your next question?

24

25 BY MR. DAVIS:

Asst. DA Harris only seems to care about winning a "malicious prosecution" instead of protecting other sexually abused children in the Presbyterian Church in America. If Mr. Harris and Mrs. Charles are being forced to prosecute, maybe they should resign to join my "pro se" legal team.

1 Q. You haven't seen the deed, correct?

2 A. Correct.

3 Q. You're not familiar with the Book of
4 Church Order enough to know about chapter nine of the
5 deacons responsibility?
6

7 GENERAL HARRIS: Objection to ask and
8 answered, Judge.

9 THE COURT: Okay. Do you have a
10 different question? He said he didn't know them by
11 chapter.
12

13 BY MR. DAVIS:

14 Q. Okay. You said you were a member and an
15 elder for I think maybe close to ten years. And you
16 left the church and you started to say October I
17 thought but you said about a year ago, so we are in
18 August of 2017, well, almost October, so why would
19 you have left the church in October of 2016?

A. My wife and I had chosen actually to
leave prior to that.

Q. And --

A. And just because we felt it was time for
us to move to a different -- under different
leadership as far as preaching and teaching was

Is Scott Troxel's departure from Covenant Leadership the reason that he was served a subpoena? Did Scott Troxel not wish to testify? If Scott Troxel was forced to testify, maybe he should step forward to tell the truth. Maybe all present and former Covenant Leaders should step forward to tell the truth?

1 concerned. And I stayed on through October, as far
2 as, while the church worked through some -- a roughly
3 patch.

4 Q. I was arrested in 2015, do you -- were
5 you there when I was arrested?

6 A. I think I was there that day. I think I
7 went to the early service and I was in Sunday school.
8 I think when you came back to the hospitality --

9 Q. Were you there in October of last year,
10 2016?

11 A. For a specific day or what?

12 Q. Yeah. Did you go to a congregation
13 meeting that they had in October?

14 A. Yes. Sure.

15 Q. Okay. Did you vote in the congregation
16 meeting where they got rid of their pastor?

17 A. Sure, I did.

18 Q. Do you know what happened to the pastor?
19

20 GENERAL HARRIS: Object to relevance.

21 THE COURT: Do you care to be heard
22 about what some --

23 MR. DAVIS: We've heard about child sex
24 abuse and things and this is a pastor in this church
25 is split. And the current pastor is now at Julia

1 Green School, on public school property and these
2 people have a history.

3 THE COURT: Well, I don't know. What
4 was your question about a vote?

5 MR. DAVIS: Yeah. They had a vote at
6 the congregation where they got together and voted --

7 THE COURT: What was your question.

8 MR. DAVIS: -- was he there for the
9 vote?

**Pastor Jim Bachmann was fired
in Oct 2016 after a Covenant
Congregation vote.**

THE COURT: Yeah, I think he said that.

12 BY MR. DAVIS:

13 Q. And I said: Do you know what happened
14 to the pastor? Did the pastor leave or stay?

15 A. Well, the pastor basically joined a
16 congregation of former members of Covenant.

17 Q. And left?

18 A. And left, right.

19 Q. Okay. And the pastor left. Okay. Do
20 you know where he is now?

**Did the PCA determine that
Covenant was wrong in
dismissing Jim Bachmann?**

21 A. Sure.

22 Q. Where is he at?

23 A. He is at -- I think they call themselves
24 Westminster Chapel.

**The name is now changed
to Stephens Valley Church.**

25 Q. Do you know where they are meeting?

1 A. At Julia Green Elementary.

2 Q. Julia Green Public School, Elementary
3 School?

4 A. Uh-huh.

5 Q. Did you know my family is banned from
6 that school too?

7 A. No, I didn't know that.

8 Q. Do you know what happened to Matt
9 Bradley? Pastor Matt Bradley, do you know where he
10 is?

11 A. Yeah. He join add sister or daughter
12 congregation. I think it's called All Saints.

13 Q. All saints. You know where they are
14 meeting?

15 A. I think they meet in Brentwood
16 somewhere, I don't know where.

17 Q. In where?

18 A. In Brentwood.

19

20 GENERAL HARRIS: Same objection, Judge.

21 THE COURT: Okay. He's answered that.

22 What is your next question?.

Is Asst. DA Harris the biggest ally to a "Mann Act" child sex abuse cover-up a courtroom has ever seen?

23

24 BY MR. DAVIS:

25 Q. Do you know where Pastor J. Hager is?

1 A. Yeah, J. Has planted a church in
2 Woodbine.

Pastor Carter Crenshaw,
Pastor Scotty Smith, and
West End Community
Church planted J Hager's
new church. West End
Community Members
must support covering
up at least one child sex
abuse crime in Nashville?

Q. Where?

A. Woodbine.

Q. Do you know where he is meeting?

A. I think it's Whitsitt Elementary.

8 Q. So he's at an elementary school, public
elementary school?

9 A. Correct.

10 Q. So all of these guys that were there in
11 those session meeting, it all splintered off and now
they are at public elementary schools?

Does the Metro School
Board care about child-
molesting? If so, why do
Board Members ignore
Austin Davis?

A. Yeah J. is. I don't know about Matt. I
don't know where they are meet.

15 Q. If they have molesters within them, are
16 they going to handle it the way that they handled it
17 up there at Covenant?

18

19 GENERAL HARRIS: Your Honor --

20 THE COURT: Okay. What's happening at
21 Woodbine and Brentwood and somewhere else, Mr. Davis,
22 is not relevant here today. So I sustain the
23 objection.

24

25 BY MR. DAVIS:

1 Q. Can you tell the jury some specifics
2 about what -- what really troubled the Session about
3 the letters? Because I'm a writer and so I spend
4 more time writing things down a lot of times because
5 I can be more with my thoughts. Do a lot better job
6 maybe than what I'm doing right now, but I'm able to
7 think about what I want to say and put it down on
8 paper. And then I have a record of it. And so, can
9 you -- we've seen this letter right here. This
10 letter here has been -- by the ruling of the Session
11 is a threat, ground swell and police and security are
12 being called and everything. So can you tell me is
13 there any of the letter that's you've got or that
14 you've seen, **have I threatened to kill anybody?** Or
15 is there anything in -- I'm some wild crazy man. I
16 mean, do you have a -- do you not like letters being
17 written?

18 A. I think reasonable letters are fine.
19 But the manner in which your letters were written
20 were inflammatory. You would be going down your
21 conspiracy theory and you would hammer those points
22 and it was fully your theories. And the value of
23 material that you had sent to parishioners is the
24 name thing over and over and over.

25 Q. Prior to 2008?

1 A. Yes. Yes.

2 Q. This is the first letter I had ever sent
to any parishioners in 2008?

Austin Davis wasn't sending numerous mass letters to Covenant Members prior to Scott Troxel's 2008 trespass letter.

3 A. Well, I don't recall. But I know
4 that --

5 Q. I was talking to the people inside of
6 the church. I haven't seen any other letters that
7 have come and said dear commonwealth.

8 Maybe one letter that I wrote about
9 Judge Robinson that put a man in jail and got on the
10 safe house, I wrote a letter about him being put in
11 jail for 80 days. The father of some children got
12 a --
13

14
15 THE COURT: Okay. What is your
16 question? What is your question? You are asking a
17 bunch of things at the same time.

18
19 BY MR. DAVIS:

20 Q. I'm trying to ask him -- he's -- sitting
21 there that they are all terrified and people can do
22 stuff. And I just want to know what -- I just don't
23 see threats in this letter, and I'm just curious as
24 to what you see as that -- as somebody that like took
25 me around as a real estate agent and tried to sell me

1 a house and things, I'm just trying to get an
2 understanding of what is it that really --

3 A. It really wasn't.

4 Q. I mean, is this guy really a dangerous
5 guy?

6 A. It wasn't a judgment that myself or the
7 session members had to make. Our parishioners were
8 telling us, we are concerned, we are concerned, we
9 don't feel safe. So the entire body was basically
10 saying this.

Scott Troxel did not get the approval of the Session and/or 1000+ Members but he blames the Members for his "trespass letter?"

11 Q. The entire body?

12 A. Well, a sufficient number of body was
13 saying this. We were --

14 Q. But you didn't have a congregational
15 meeting with them?

Scott Troxel went "rogue." There was no congregational meeting to vote on a lifetime property ban.

A. I'm sorry?

18 Q. You didn't have a congregational meeting
19 with them to get approval to write a --

20 A. We didn't feel like we had time.

21 Q. But you didn't call the police?

22 A. We did. I mean, we involved --

23 Q. Prior when you think a mad man is coming
24 up to the church to do something you don't call the
25 police?

A. We had plain clothes officers present.

How many police officers participated in the secret armed assault on the Davis Family?

1 Q. Plain clothed police officers?

2 A. Or security personnel.

3 Q. I hope you know that is a big question
4 because it's already been information that are -- are
5 you telling me that they are plain clothed officers?

6 A. I don't recall if they were plain
7 clothed officers on duty or if they were security
8 personnel. I don't recall specifically which, but we
9 did feel that there was level of concern that we
10 could not take a chance on your intentions.

11 Q. There had been plenty of other
12 situations where churches had been lax in providing
13 that control on people. So they were in for -- they
14 were in protecting and others from me, is
15 that what you are saying?

16 A. Protecting everyone, whoever needed to
17 be protected.

18 Q. **REDACTED** is a member of -- he was
19 still a member of the diaconate, so he's officially
20 inside of the rule where he can --

Is Asst DA Harris protecting
the secret "plain clothes police"
with this objection? How many
Nashville Police officers were
involved in the "lay-in-wait"
armed assault? Are average
street cops proud of this work?

GENERAL HARRIS: I object.

24 THE COURT: Okay. What is your question
you're asking?

25 MR. DAVIS: The church is being

1 protected by a plain clothed officer. I'm just
2 asking the question: Are you protecting **MOLESTER**
3 with cops?

4 THE COURT: Okay. He wants to know if
5 **MOLESTER** was protected by plain clothed officers.

6 THE WITNESS: Basically anybody present
7 would have be been protected or hopefully.

8 MR. DAVIS: Okay. Thank you.

9 THE COURT: All right. Any redirect?

10 GENERAL HARRIS: Two questions.

11
12 **REDIRECT EXAMINATION BY GENERAL HARRIS:**

13 Q. Mr. Troxel, after Mr. Davis was banned
14 from the property, are you aware of any pastor or
15 member of the church leadership that wore bulletproof
16 vest in the pulpit?

A. I believe Jim Bachmann did, yes, the
senior pastor.

Q. Okay. Was that -- to your knowledge was
20 that as a result of Mr. Davis?

21 A. Certainly.

22 Q. Again, after this occurred, was there
23 other security meetings had by the church regarding
24 Mr. Davis?

25 A. Well, there were subsequent meetings

Did Jim Bachmann wear his
"bullet-proof vest" when he
was a guest of John Ingram
to a Vanderbilt Baseball
game on April 27, 2019?

1 several years later when there was a flurry of now --
2 kind of a new entity of e-mails.

The gaslighting occurred in 2013 as the "Mann Act" Federal crime cover-up intensified and Sandy Hook was used to further defame and demonize Austin Davis.

Q. From him?

5 A. Yes. So members again were concerned
6 about safety. It was shortly after Sandy Hook and
7 there were members, especially parents that were
8 concerned about the safety of their children.

The Asst. DA heard the sworn testimony about child sex abuse but he still called it a "myth" as the "malicious prosecution" to protect a "Mann Act" Federal crime cover-up continued in a Tennessee courtroom.

8 Q. Okay. And Mr. Davis talked about some
of the myths, I believe that he believes the church
is hiding from him or something. Are you aware that
Mr. Davis ever attempted to subpoena any of this
information?

13 A. I'm not aware of it.

14 Q. Before you sent the letter to Mr. Davis
15 banning him from property, had the church ever had to
16 ban anyone before to your knowledge?

A. Not to my knowledge.

Q. What about after?

A. Not to my -- I don't believe so.

20

21 THE COURT: All right. Any additional
22 questions, Mr. Davis based on that series of
23 questions?
24
25

What if Austin Davis always had a legal right to attend Covenant? What if he wasn't really a nutcase criminal during the past 11 years?

1 his authority, where the authority comes from.

2 THE COURT: What is the church book?
3 What is it referred to?

4 MR. DAVIS: Its called the Presbyterian
5 church of -- Book of Church Order.

6 THE COURT: Book of Church Order, is
7 there anything specific, not citing chapters, that
8 you are aware of sitting here about banning people?

9 THE WITNESS: It doesn't say
10 specifically banning people. But it says the Session
11 has authority to make acts for the congregation
12 without going to a congressional meeting except
13 matters of like real estate and there was one other
14 specific term.

**Clerk Troxel went "rogue" without
Session or Member approval. See
Covenant Board Minutes at the
back of this link. Exculpatory info
was provided to DA.**

15
16 BY MR. DAVIS:

17 Q. So the money matters are more important
18 than the actually human being, so the church is set
19 up -- **Should church leaders be more
concerned about "human souls"
or money?**
20

21 GENERAL HARRIS: Same objection, Your
22 Honor.

23 THE COURT: Okay. You -- that's more
24 of argumentive question from your perspective.

25 MR. DAVIS: Okay. I will try to --

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BY MR. DAVIS:

Q. So the church leaders will go have a congregation, a meeting to talk to people about money, borrowing money, doing anything with the property that is money related, building a little house on it or whatever, they will go meet with them? But they don't go meet with them if they decide they don't like somebody or something that bothers them, so they ban them. Is that what you are saying?

A. I would say each situation is going to be a little different and you had provided you are letter in a certain timeframe that we needed to act. And I think it was that following Sunday was when we had the congregational meeting that was related to somebody else that you were wanting to attempt that was your letter was about, was attending the congregational meeting.

Q. Is that the Sunday meeting where you all invited my daughter who was 13 back to the church?

A. I don't recall.

Q. And then had security guards put on her?

A. I don't know what you are --

Q. Would that be the Sunday meeting, the next meeting?

1 A. I don't know what you are talking about.

2 Q. You don't remember?

3 A. Huh-huh.

4 Q. And she went alone.

5

6 THE COURT: Okay. That's not a
7 question.

8

9 BY MR. DAVIS:

10 Q. Well, I just want to -- is that normal?

11

12 THE COURT: What? Is what normal?

13 MR. DAVIS: For them to hire a bunch of
14 people and have them walk around behind a 13 year old
15 girl while she is on the property?

16 THE COURT: Do you know anything about
17 people walking behind a 13 year old?

18 THE WITNESS: No, I don't.

19 THE COURT: He doesn't know.

20 MR. DAVIS: He doesn't know about that?

21 THE COURT: That's what he just said.

22 MR. DAVIS: He's the clerk in the
23 Session and he's on the ruling session?

24 THE COURT: What is your next question?

25 MR. DAVIS: All right. Thank you.

1 THE COURT: Any other questions?

2 GENERAL HARRIS: No Your Honor.

3 THE COURT: All right. Thank you, sir.

4 You can leave that there.

5 Who is the next witness?

6 GENERAL HARRIS: Call Judge Bryant.

7 **SURPRISE WITNESS – NOT ON DA’S WITNESS LIST**

8 **JOHN BRYANT,**

9 was called as a witness, and after having first duly
10 sworn, testified as follows:

11

12 **DIRECT EXAMINATION BY GENERAL HARRIS:**

13 Q. Good afternoon, sir. Will you please
14 state your name for the Court.

15 A. My name is John Bryant.

16 Q. And where are you from?

17 A. From Nashville.

18 Q. And what do you do for a living?

19 A. I'm retired.

20 Q. What was your previous occupation?

21 A. I was a practicing lawyer for 33 years
22 and then I spent ten years serving as a magistrate
23 judge for the United States District Court here in
24 Nashville. **43 years of law experience.**

25 Q. So you would have been a federal --

1 federal magistrate; is that correct?

2 A. That's correct.

The DA Prosecution Team wanted the jury to know that Federal Judge John Bryant "outranked" everyone in the courtroom including Judge Dozier.

Q. Because federal magistrates outrank prosecutors, I'm going to call Judge Bryant, if that's okay?

6 A. Well, you can call me -- Mr. Bryant is
7 fine.

8 Q. What type of things -- so the jury
9 knows, what type of things does a federal magistrate
10 do?

11 A. The magistrate judges do the preliminary
12 parts of both civil cases and criminal cases that are
13 filed in a federal court.

14 Q. And before that, being in practice as an
15 attorney, did you practice primarily in civil or
16 criminal?

17 A. I did civil work. I didn't do any
18 criminal work at all.

19 Q. And obviously as a judge, you -- you
20 know, saw some of both; is that correct?

21 A. Yes.

22 Q. But it's not your role as a judge that
23 brings you to court today; do you understand that?

24 A. That's right.

25 Q. Were you a member of Covenant

1 Presbyterian?

2 A. Yes, I am.

3 Q. And how long have you been a member of
4 that church?

5 A. My wife and I began attending Covenant
6 in September of 2007 and we joined the church in
7 December of that year.

8 Q. Do you know Austin Davis?

9 A. I do not. I've never -- to my knowledge
10 I have never met him.

11 Q. Never met him, all right. You were not
12 in session in 2008; is that right?

13 A. I was not.

14 Q. But you are now?

15 A. Yes.

16 Q. And how did you get involved -- and
17 would you be considered an elder in the church?

18 A. Yes. In the Presbyterian church, the
19 board of elders is called a session, and that's --
20 and you are elected as an elder by the -- a vote of
21 the congregation.

22 Q. When did you become an elder in Covenant
23 Presbyterian?

24 A. August of 2012.

25 Q. All right. And it's your job as an

1 elder in the church that brings you to court today;
2 is that correct?

3 A. I suppose so.

4 Q. You don't know Mr. Davis personally?

5 A. Do not.

6 Q. But your dealing with Mr. Davis is what
7 brings you in; is that right?

8 A. Yes.

9 Q. Mr. Bryant were you -- what knowledge do
10 you have since you became elder about Mr. Davis'
11 contact with Covenant Presbyterian Church?

12 A. Well, I haven't had any direct dealings
13 with Mr. Davis, but I became aware that for many
14 years he has engaged in a campaign of writing
15 hundreds, if not thousands, of e-mails about our
16 church. Also number of different grievances that
17 Mr. Davis has with the church, in particular our
18 former pastor and a number of former officers. These
19 have been sent to everybody. I mean our
20 congregation, to employees of the school that was
21 maintained there on the premiss by the church of
22 Covenant school.

23 He sent it to government officials, the
24 mayor, Mayor Karl Dean. I'm sure Mayor Barry has
25 gotten them. The District Attorney's office, the

The sworn testimony proves Federal Judge John Bryant and public servants don't seem to care about child sex abuse.

3 police department, FBI, the US Attorney's office. I
4 think the governor's office has got them. He has
5 sent them to public officials in Washington making
6 various claims of wrongdoing by members of the
7 church.

8 Q. At some point, the church saw to do
9 something about this; is that correct?

10 A. Yes, they did.

11 Q. And you were part of a group of people
12 that were organized to bring about some -- you know,
13 basically had a deal with Mr. Davis; do I understand
14 that correctly?

15 A. Well, with the Session of the church
16 created a four or five person commission to look into
17 legal remedies that the church might have against
18 Mr. Davis, and I was on that. **The Jail Commission?**

19 Q. Is there anything in particular that
20 caused the church to form that commission or one
21 incident in particular, or if that's not true then --

22 A. I can't think of one particular
23 incident. I think it was just an ongoing incessant
24 campaign against -- e-mails primarily against our
25 church. Before I became on session, Mr. Davis had
been sent a letter telling him he was not to come
back.

A friend informed the Defendant a Covenant Commission was trying to find a way to put the Defendant in jail. Tennessean Religion Reporter Bob Smietana was provided the info, but the Tennessean sees "nothing to write about."

1 Q. Yes, sir.

2 A. He had come on a few occasions to the
3 church. And whenever he did, there was trouble.
4 There was a confrontation and --

Covenant Leaders caused "trouble"
to protect a "Mann Act" Federal
crime cover-up which is still on-
going.

Q. What do you mean by that?

A. Well, he -- for example, he was -- he
7 came to the church after he had been asked not to.
8 He was stopped in the hall by two of our elders. And
9 there was a confrontation there that later lead to a
10 lawsuit that Mr. Davis filed against the church and
11 against some of those elders alleging that he had
been assaulted by those elders. My information is
that lawsuit has since been dismissed. But that's
just an example of things that happened when
Mr. Davis comes and so we prefer that he not come.

Judge Carol Soloman demolished
all 3 lawsuits even though she
knew about the child sex abuse
from 2009-2012. Judge Soloman
would not recuse denying the
Davis Family a fair trial in Tennes-
see Courts. All cases were
won by fraud.

16 Q. Uh-huh. So was any of this done out of
17 fear for Mr. Davis?

18 A. Fear of him?

19 Q. Yes, sir.

20 A. Yes. I think that there was some fear
21 of him.

22 Q. If you don't mind, tell the jury a
23 little bit about that fear, what it was based on and
24 what was done as a result of that?

25 A. Well, the best example I can recall when

1 I was -- I was involved in this, this was early 2013,
2 Mr. Davis stepped up his e-mail campaign against the
3 church. And he sent a series of e-mails to our
4 membership, congregation membership, also to
5 employees of the school. We have a kindergarten
6 through sixth grade school. It's a private school
7 the church runs as a ministry. And the tone and
8 content of these e-mails alarmed people. And I think
9 in fairness part of that alarm was because that just
10 in December of 2012 was the shooting of the school
11 children at the Sandy Hook Elementary School in
12 Connecticut by a man named Adam Lanza which was all
13 over the news, it was a horrible thing. And think it
14 was fresh in everybody's mind at the time.

15 So Mr. Davis send a number of these
16 e-mails and people read those and became very
17 concerned that Mr. Davis who most of them did not
18 even know, but they kept getting e-mails from him,
19 was capable of something like this. So we had a
20 meeting at the church. It was an informational
21 meeting. It was conducted one Sunday afternoon at
22 2 o'clock following worship services in the morning
23 and people were invited. Anybody who was concerned
24 and wanted to have information and some of the
25 deacons and the elders of the church were there. I

The Nashville Police closed the child sex abuse case in Dec 2015. Eight high-level police authorities informed the Davis family on Dec 5, 2012.

After Austin Davis informed Covenant Members about the on-going child sex abuse cover-up, he was apparently gaslighted as being "capable" of a Sandy Hook shooting like Adam Lanza-- even though Covenant Leaders knew he had previous secret service clearance.

1 went.

Why didn't any "scared" mothers testify for the DA?"

3 I was a fairly new elder at the time and
4 I just attended. I went just to hear things. And I
5 distinctly remember more than one young mother asking
6 the question, can the church guarantee the safety of
7 my children if we bring them here to church and
8 Sunday school because they had gotten these e-mails
9 from Mr. Davis. We did take steps. We hired a
10 private security guard to come to church on Sunday
11 morning during worship wearing a uniform and having a
12 marked patrol car.

Sgt. Solomon Holley?
Grand Juror Solomon
Holley?

13 We had a -- had a security survey done
14 of the church. People came and walked the church
15 with some of the deacons and advised us on various
16 steps we could take to make the church more secure
17 from that kind of -- that kind of activity. So
18 that's what I recall particularly. But from time to
19 time people have been upset an disturbed from some of
20 the e-mails that they get from Mr. Davis.

21 Q. I understand. And to go from I guess
22 late 20 -- it would have been early 2014 to late
23 2013; is that correct, Mr. Bryant, when that meeting
24 was held?

25 A. That meeting was in February of 2013 as
I recall.

This meeting was held after the Defendant informed Covenant Members about the on-going child sex abuse cover-up.

Was this the same period of time Covenant Leaders conducted a 2-year "non-investigation" of Pastor Jim Bachmann? Is it possible to get a copy of the audio tapes and notes of the 168 hours of interview time with 7 pastors, 7 ruling elders, 1 inactive ruling elder, 1 deacon, and 1 member? 18 interviews were done in 13 days.

Q. Okay. And so from February 2013 up until November of 2015, had those -- was the private security service still at the church every sound during the service?

A. I believe he was.

Q. Okay. And were the -- to your knowledge, the security recommendations made by the security consultant regarding doors and other things they recommended, were those protocols still being followed up to that point?

A. Yes, they were still in effect as far as I know.

Q. Was -- do any other person beside Austin Davis if those security measures were taken to protect the church from to your knowledge?

A. No.

Q. Okay. And you now serve on the Session; is that correct?

A. I do.

Q. And to your understanding or your knowledge or church doctrine, the rules that govern the Session, the deed to the corporation, all of the legal documents that create a church and run the church, does it is session have power to ban people from the property?

Clerk Troxel went "rogue" without Session or Member approval. See Covenant Board Minutes at the back of this link. Exculpatory info was provided to DA.

1

A. Yes.

Federal Judge John Bryant does not seem to believe a protected child-molester should be banned from church, but he does believe in the secret banning of Austin Davis and his family members. How many child-molesters are concealed in the Nashville Presbytery?

Q. Have you ever known any one besides Austin Davis to have been banned from church property?

A. No.

Q. I will ask you this: Are you aware of any time where any pastors wore a bulletproof vest in the pulpit?

A. I have heard that occurred, but I cannot -- I had no personal knowledge of it.

Q. All right. Very good.

Mr. Bryant you mentioned this sort of in passing, there is a school on the property; is that correct?

A. Yes.

GENERAL HARRIS: Those are my questions.

THE COURT: All right. Questions, Mr. Davis.

CROSS-EXAMINATION BY MR. DAVIS:

Q. Judge Bryant, so you are a federal judge, or were?

A. Well, I'm officially retired, but I'm

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1 working part time. In fact, I'm working tomorrow and
2 Thursday this week for the Court, but yes, a
3 magistrate judge.

4 Q. Your part time? Retired?

5 A. Well, I retired a year ago, but they
6 call me back part time.

7 Q. Well, I hope you are enjoying your
8 retirement.

9 A. Thank you, sir.

10 Q. So you came to Covenant in 2007?

11 A. Yes, sir.

12 Q. And when did you say you and your wife
13 started coming to the church?

14 A. We began attending in September.

15 Q. September of 2007?

16 A. Yes, sir.

17 Q. And we joined the church in December of
18 that year?

19 A. I was attending there at that time too,
20 I wasn't a member, but I still came as a visitor like
21 people are allowed to do.

22 Q. Do you -- so you are relatively new, you
23 have no real history to the -- to what is going on in
24 the church at that time at all coming in 2007?

25 A. That's my -- that's my first

1 acquaintance with Covenant Presbyterian Church.

2 Q. How -- how did you come -- how did you
3 happen to come?

4 A. Well, as my -- I blame it on my wife.
5 We were Baptist and had been attending Woodmont
6 Baptist Church for many, many years. In fact, we
7 married there and raised our children there. But my
8 wife primarily became a little bit disenchanted with
9 the church there and she was looking for another
10 church. And we had friends at Covenant, so she
11 visited there, liked what she heard and she took me
12 there basically, and took me there basically in
13 September of 2007.

14

15 THE COURT: Just so everyone knows this.
16 At some point our membership at Woodmont crossed.

17 THE WITNESS: Yes.

18 THE COURT: Okay.

Judge Dozier was friends with
Judge Bryant at Woodmont Baptist?

MR. DAVIS: Woodmont Baptist?

20 THE COURT: Yes.

21 MR. DAVIS: Yeah. I went to Woodmont
22 Baptist as a boy and Donny Sherman played ball with
23 me growing up. His dad was the pastor there.

24

25 BY MR. DAVIS:

1 Q. And then you said you joined in December
2 of 2007?

3 A. Yes, sir.

4 Q. But you weren't an elder or anything.
5 When did you become an elder?

6 A. I was an -- I was elected to the Session
7 in the summer of 2012. And on my first day on the
8 job was, I guess, August 1, 2012.

9 Q. So that's four years after this letter
10 was written in 2008 when you are actually becoming an
11 elder?

12 A. Right.

13 Q. So would it be safe to say that you were
14 pretty much in the dark about a whole lot of stuff
15 that had gone on between 2002 and 2012?

16 A. I didn't know much about it at all until
17 I became an officer of the church.

18 Q. So we might have come in contact or
19 anything that you are saying and whatever being done,
20 you would be encountering me deep into this?

21 A. Well, I don't know what you mean by
22 that, but I realize somethings had occurred that you
23 are concerned about before I was ever a member of the
24 church.

25 Q. Okay. And you said that there was a --

1 a security out there and that I was the only person
2 that they were there for or concerned about?

3 A. Well, I mean I think the security was
4 therefore any need, but to my knowledge, you are the
5 person that prompted that to occurred. I mean,
6 clearly we wanted the church to be safe and continue
7 wanting the church to be safe from all threats or
8 harm or threats of harm. But to any knowledge it was
9 primarily because of your e-mail campaign and what
10 some viewed as the threatening tone of some of those
11 e-mails.

12 Q. Well, I have a different perspective
13 obviously of it. I would consider the protection of
14 children I think, as being informational at times.
15 But I guess that's where we just don't see it quite
16 the same.

17
18 THE COURT: What is your question?

19
20 BY MR. DAVIS:

21 Q. You mentioned Sandy Hook, so are people
22 up in Covenant taking precautions, are any normal
people in there wearing guns or members or is there
concealed weapons in there? Or is there anybody in
the Sunday school class that's got guns? I'm just

Oklahoma Pastor and Child Sex
Abuse Victim Advocate Wade
Burleson met with Judge John
Bryant in 2014. Apparently,
Judge Bryant did not believe
Pastor Wade Burleson?

1 trying to --

2 THE COURT: You talking about now?

3

4 BY MR. DAVIS:

5 Q. Back then, any time. I'm just trying to
6 get an idea of what all was going on in there because
7 they probably reached the point where they got
8 security an scared parents, so --

9

10 THE COURT: Asking you the details of
11 the security plan that was changed in or around 2013?

12 THE WITNESS: Well, to my knowledge --
13 well, I don't know whether any of our members who are
14 you know licensed to carry a conceal weapon have one
15 on them or not, I don't ask those questions.

16 To my knowledge, the church didn't
17 commission anybody or ask anybody to come armed other
18 than perhaps the guard, security guards.

19

20 BY MR. DAVIS:

21 Q. But basically the church's position, the
22 ruling elders' position at this point in time as you
23 are getting into it is that they don't like the
24 information and letters that I have provided to
25 people?

Is Mickey Tant armed
with a concealed
weapon on the church-
school property?

1 A. Well, I think the sessions position is
2 that you are no friend of the church and have not
3 been a friend of the church for years and years and
4 years and you have demonstrated that repeatedly by
5 these many, many, many, e-mails you have sent to
6 every body in the country and the three lawsuits that
7 you have filed against the church.

8 So it's the position of the Session that
9 given that, you should not be coming on the church
10 property and that's what we are here about. We tried
11 to get you not to come back. But that hasn't been
12 what you wanted to do, so that's our position.

13 Q. Well, would -- you came in 2012, you
14 became an elder in August of 2012?

15 A. I became an elder in the summer of 2012,
16 that's correct.

17 Q. Summer of 2012. Do you think that a
18 church member has a right to invite somebody to
19 church?

20 A. Under ordinary circumstances, unless
21 that person has been banned from coming.

22 Q. And under oath you are saying I have
23 been banned legally with full authority from you?

24 A. Well, there has been a letter sent to
25 you by the Session telling you that you aren't

Defendant Davis is a true friend of the Church. A Federal Judge and Covenant Leaders who protected a "Mann Act" child-molester by usurping authority are not true friends.

Federal Judge John Bryant miserably fails the final exam on a beaten, despised King. The King wasn't banning people, He was inviting them.

Members, visitors, and Covenant school families should check with Judge Bryant and Nashville Police before inviting anyone to the private church-school property. Check before you invite anyone to a school function, a wedding, a funeral, or a WNSL youth game. Your "guest" could be on the Elder-Police secret ban list.

Clerk Troxel went "rogue" without Session or Member approval. See Covenant Board Minutes at the back of this link. Exculpatory info was provided to DA.

1 welcome there and not to come. And if you did, the
2 church would take legal action.

3 Q. And so the Session doesn't have to get
4 the consent of the congregation to ban somebody?

5 A. Not for that, no, sir.

6 Q. Have you read chapter 9 of the deacon --

7 A. I have. And I have also read chapter 12
8 and I have also read I think it's chapter 25 of the
9 Book of Church Order.

10 Q. Could you tell me specifically where
11 that is that -- because you know, trespass is has got
12 to be a real clear thing, that's why they post the
13 trespass things at schools. They put signs up
14 because they want people -- they don't want anybody
15 to get trapped because we are all walking around out
16 here, we don't want to all of the sudden be walking
17 and find out that we are going to be cuffed and taken
18 off because now we have gotten into no-mans-land and
19 we don't know it.

20 So do you believe -- I mean, your PCA
21 ruling elder and they do have a history of
22 independent Pres and Memphis, broke away from second
23 Pres, they have some history of not having any
24 problem with elders and deacons getting up there and
25 standing in the doors and blocking people from coming

1 in.

2 THE COURT: All right. I think your
3 question was --

4 MR. DAVIS: Does he believe as the
5 PCA --

6 THE COURT: He mentioned some
7 specifics --

8 MR. DAVIS: Do you believe that the
9 church --

10 THE COURT: Hang on just a second. He
11 mentioned some specific chapters of that book.

12 MR. DAVIS: Of the PCA.

13 THE COURT: Are you wanting him to --

14 MR. DAVIS: Yeah, I would like him to
15 tell me where it is, because we know that the Book of
16 Church Order says that Christ is the king and head of
17 the church and all power flows through him. So there
18 is power flowing down. And I would like to know
19 where in there gives that ruling elders that kind of
20 property power? Because the lawsuit is going on now
21 in the Episcopal Church and he --

22 THE COURT: Okay. Hang on. Let's stop
23 right there with your question .

24 I think Mr. Bryant he --

25 MR. DAVIS: Where is the power and the

In an ecclesiastical "Game of Thrones," Covenant Leaders usurped a King's Authority.

1 authority coming from --

2 THE COURT: To your perspective and
3 knowledge of that?

4 THE WITNESS: I've got -- I really on
5 chapter 12 of the Book of Church Order. And I can
6 read it. I can read you the provision if you want me
7 to?

8 MR. DAVIS: Yeah. I would like to hear
9 it.

Was Judge Bryant's folder
entered as DA evidence?

10 THE WITNESS: Your Honor, may it please
11 the Court, if I can get up and get my folder back
12 there.

13 THE COURT: Sure. That's what he needs?
14 Okay.

15 THE WITNESS: All right. I will try to
16 speak up.

17 MR. DAVIS: Thank you.

18 THE WITNESS: This is from the Book of
19 Church Order which is the -- a book of church governs
20 that published by the Presbyterian Church of America
21 which is our denomination. And I'm reading now from
chapter 12 -- this is chapter 12, paragraph 12-5. It
says, the church session, which is the board of
24 elders, is charged with maintaining the spiritual
25 government of the church for which purpose it has

PCA Book of Church Order
Chapter 12-5 c must be in
concert with Chapter 9-2.

1 power. And there is a list of things and I'm
2 referring to C, to approve actions of special imports
3 affecting church property. This is what the Session
4 did, it approved sending the letter telling Mr. Davis
not -- please not come back to the church property.

6 There is another provision which
7 Mr. Davis may be referring to, there are certain
8 limitations on what the Session can do with respect
9 to the property and those limits are: In buying,
10 selling, mortgaging real property, such officers
11 shall act solely under the authority of the
12 corporation, granted in a duly constituted meeting of
13 the corporation. The Session does not have the
14 authority, without the vote of the congregation, to
15 buy property for the church, to sell it or to
16 mortgage it.

17 Also, we have -- our church has
18 organized as a Tennessee not for profit corporation
19 and we have bylaws. The bylaws deal with the Session
and the activities of the Session. Let's see, I've
20 got a copy of that here. This is article four of the
21 corporate bylaws of our church, section 1 entitled
22 management. And the first sentence says, except as
23 other was may be provided by the act, the BCO or else
24 ware in these bylaws, the business and affairs of the
25

**Fake Trespass Letter with no
Session or Member approval.**

**Were these the new 2017 By-Laws
that replaced the 1992 By-Laws?
Were these By-Laws approved
before the Sept trial when Pastor
David O'Dowd was at Covenant?**

**Why would Covenant Leaders
begin re-writing the 1992 By-Laws
before the rigged trespass trial
in 2017?**

1 corporation shall be managed by members of the
2 Session which shall constitute the board of directors
3 of the corporation for purposes of the act.

4 And this -- these bylaws also contain
5 the same provision that I mentioned to you from the
6 BCO a moment ago. And this is over in article five,
7 entitled articles and agents. It does say that: In
buying, selling and mortgaging real property, the
trustees, who are offices of the church, shall act
solely under the authority of the corporation granted
in a duly constituted meeting of the members of
corporation at the congregation. So if we were
talking about buying, selling or mortgaging the
church's property, that requires a vote of the
congregation. But this is did not involve that, the
Session had the authority to do it.

12
13
14
15
16
17
18 BY MR. DAVIS:

19 Q. So banning somebody, the Session can do
20 that in secret?

21 A. Well, we do it in a meeting, we meet
22 once a month whether it was done in secret or was it
23 done --

24 Q. Without the members knowing, you can
25 just go and do stuff and the members have no idea,

Surprise prosecution witness
Judge Bryant's "folder" and
By-Laws were not recorded as
marked evidence and were
never provided to the Defend-
ant with DA Discovery prior
to the trial.

1 they don't talk?

2 A. Well, the members can come to session
3 meetings if they wish. They are open unless the
4 business is conducted in executive session and I have
5 no evidence that the --

6 Q. One thing that is interesting about the
7 fact that the Session has to prove it, okay, so I
8 understand the Session is obviously the topic, you
9 have to prove something.

10 If you read what chapter nine was, I
11 would have been a deacon, I went through the training
12 and went through stuff like you did. And in there it
13 told us that we were stewards of the property, the
14 congregations, the people's property, and not to be
15 letting anybody be doing anything with the property
16 without the people knowing what the heck was going on
17 with it. So nobody would go mortgage the church
18 property or take some loan out for themselves or
19 whatever, we are stewards watching that.

20 And so if you read chapter nine, I would
21 like you to if I can --

22

23 THE COURT: What is your -- you have a
24 question about chapter nine?

25 MR. DAVIS: I will once I get the

1 chance to look at it because it is the one that --

2 THE COURT: Well, that is argumentive
3 there. What is your question?

4 MR. DAVIS: I want to see it, look at
5 it first.

6 THE COURT: All right. What is your
7 question and then we will get it if you need
8 specific --

9 MR. DAVIS: What's the question?

10 THE COURT: Yes.

11

12 BY MR. DAVIS:

13 Q. Do the deacons have authority over the
14 church property for the congregation to be stewards
15 of the church property?

16 A. The deacons are largely responsible for
17 the care and upkeep of the property. When the roof
18 leaks, the deacons see to getting that fixed. And
when the air conditioner goes out, the deacons are in
charge of calling somebody to have that fixed. So
yes, the deacons do -- and the deacons have what's
called the property and grounds committee, and that's
their responsibility generally to see to those kind
of repairs and maintenance on the property.

21 Q. And who does that property belong to?
22
23
24
25

Judge Bryant doesn't appear to respect the Diaconate very much. Does he think Deacons only fix the air conditioning?

1 A. It belongs to the corporation, the
2 church.

3 Q. And who is the corporation, the Session?

4 A. What's that?

5 Q. Who is the corporation?

6 A. The corporation is a separate legal
7 entity itself.

8 Q. And who is that, why are you being
9 evasive on this answer? Who is the --

Judge Bryant doesn't seem to
respect the voting rights of
1000+ property owners very much?

11 THE COURT: Nobody said he's being
12 evasive. What is your question?

13 He's wanting to know from your
14 perspective who is the corporation?

15 THE WITNESS: Well, the corporation is
16 a legal entity in Tennessee. Just like General
17 Motors is a corporation and it has share holders, but
18 it is a separate corporate entity, General Motors is
19 not the share -- the shareholders, they own the --
20 they own the shares in the company, but General
21 Motors is a legal entity in and of itself as a
22 corporation, that's what corporations are and our
23 church is the same way. It is a legal entity.

24 The church holds title to the property.
25 The church is a not-for-profit corporation, has

1 members. And every member of our church is a member
2 of the corporation. But the members are not the
3 corporation and the corporation are not the members,
4 they are separate. Does that make sense, in the
5 legal sense?

**Federal Judge John Bryant does
not want to admit that Covenant
Members must vote on important
property decisions like secretly
banning members or visitors.**

6
7 BY MR. DAVIS:

8 Q. I'm slow, so I'm having trouble
9 understanding what you're saying. You're telling me
10 that the members are not the corporation?

11 A. That's correct. In a legal sense.

12 Q. Do they vote? I mean, do they vote?

13 A. They vote on some things, they do. They
14 elect our pastor, they elect elders and deacons. And
15 as we have read from the Book of Church Order if the
16 church were to buy property or sell property or
17 mortgage the property, the congregation votes on that
18 as well.

19 Q. And did we see -- has he seen chapter
20 nine yet that I just handed up?

21 A. I have it before me.

22 Q. Huh?

23 A. I have it before me.

24 Q. Can you read what it says the deacons
25 responsibility is? It starts out with duty of

1 deacons, chapter nine --

2 A. This is 9-2. It is the duty of the
3 deacons to minister to those who are in need, to the
4 sick, to the friendless and to any who may be in
5 distress, it is their duty also to develop the grace
6 of liberality and the members of the church to devise
7 effective methods of collecting the gifts of the
8 people and to distribute these gifts among the
9 objects to which they are contributed. They shall
10 have the care of the **property of the congregation,**
11 both real and personal and shall keep in proper
12 repair the church edifice and other buildings
13 **belonging to the congregation.**

14 **In matters of special importance**
effecting the property of the church, they cannot
take final action without the approval of the Session
and consent of the congregation. In the discharge of
18 their duties, the deacons are under the supervision
19 and authority of the Session.

20 In a church in which it is impossible
21 for any reason to secure it -- in a church in which
it is impossible any reason to secure deacons, the
duties of the office shall devolve upon ruling
24 elders. That is section 9-2.

25 Q. And that one line there says in matters

How can the deacons enforce a secret ban if they don't know about it, and if the 1000+ property owners did not give their voting consent?

See Chapter 12-5 c and Chapter 9-2 at the back of this link. Clerk Troxel did not receive either approval.

1 of on property decisions, it says that they cannot
2 take final action without, going back to what you
3 read a minute ago, the approval of the Session, the
4 Session will have to prove it and the consent of the
5 congregation?

Judge Bryant seems to think that
Chapter 12-5 c gives the Session
sole unlimited authority over the
congregation's property?

8 A. This paragraph is in the chapter
describing the office of deacon, not session, not
9 elder. The deacons do have these responsibilities
that I have read, but they are under the supervision
10 of the Session. So this does not really speak to the
11 authority of the Session. What I read you before is
12 what describes the authority of the Session.

Chapter 12-5 c and Chapter 9-2
must work in concert together.
Chapter 12-5 c does not override
the authority delegated to 1000+
property owners in Chapter 9-2.

13 Q. Are you saying the Session can do
whatever it wants to do and it has no submission to
14 the people at all on property matters?

16 A. No. I have told you the Session cannot
17 sell, buy or mortgage property of the church without
18 a vote of the congregation. But beyond that, the
19 Session can make decisions and approve matters
20 involving the property.

21 Q. So you can -- you can do something, hire
22 security, call the police, do whatever you want to do
23 without having any -- any -- I don't mind you being
24 able to call the police if you think there is
25 something legitimate going on. If you are covering

1 up child sex abuse, I have a little bit of a problem
2 with that.

3
4 THE COURT: What is your question?
5 Does the Session have the authority --

6 MR. DAVIS: I don't know how he is
7 getting around that, I really don't. I don't know
8 how he --

9 THE COURT: Okay. Well, we are not in
10 the argument stage yet. Is your question: Does the
Session have authority to call the police or hire
security?

11
12
13
14 MR. DAVIS: No. I'm asking him where
he gets his authority and --

15 THE COURT: He read you that earlier.

16 MR. DAVIS: That says it needs the
17 consent of the congregation.

18 THE COURT: Okay. Well, he's answered
19 that. What is your next question?

20 MR. DAVIS: Are members allowed to
21 invite people to Covenant or to a PCA church without
22 getting the approval of the ruling elders?

23 GENERAL HARRIS: Judge, I'm going to
24 object to asked and answer ed again.

25 THE COURT: Okay. Do you understand

The Defendant is still stunned that a Federal Judge thinks he can hijack a non-profit church property without any accountability to anyone?

1 the question? All right. Go ahead. He can answer
2 it.

3 THE WITNESS: Members are invited --
4 are welcome to invite friends and acquaintances to
5 come to the church, if that is your question.
6

7 BY MR. DAVIS:

8 Q. Would a visitor be able to invite
9 somebody to the church?

A. Probably so, sure ordinarily.

Q. Would they need to go up and have a

12 meeting with elders and get in there and say, hey,
13 I'm a visitor, I've been coming here. I don't belong
14 to you, but I saw six people over at the -- the other
15 day and they looked like they might need to go to
16 church to go somewhere, and I invited them and they
17 are coming, but I want to make sure that when they
18 come they don't run into Dweeboe and everybody out in
19 front, so I want to make sure before I invited them
20 that I cleared with you ruling elders?

21 A. I'm sorry. I didn't understand that
22 question.
23

24 THE COURT: He's saying does a visitor
25 have to get the permission of the Session or elders

This is an easy "yes" answer but a dictatorial Federal Judge thinks it is "probably" ok.

1 to invite another visitor?

2 THE WITNESS: No. A member or a
3 visitor could invite someone else to come to our **His church.**
4 church. **But not Rick Jacques, Catherine**
5 **Davis, or Daisy Davis?**

6 BY MR. DAVIS:

7 Q. So when I was invited to a wedding in
8 July of 2012 right as you were becoming an elder --

9
10 GENERAL HARRIS: Your Honor, I'm going
11 to object to anything that the witness doesn't have
12 personal knowledge of.

13 THE COURT: Okay. You are putting
14 information in your question that's not testimony.
15 So what is your question?

16
17 BY MR. DAVIS:

18 Q. Okay. Did you oppose Rick Jox inviting
19 him to come to Covenant to his daughter's wedding in
20 July of 2012 when I came?

21 A. I was not aware that Rick Jox had
22 invited you. I mean, at the time that anybody
23 invited you, you should have known that you are not
permitted to go because you have already been
informed that by the letter from the Session. So the

The fake letter was from
Scott Troxel without the
approval of the Session
or 1000+ voting members.

1 fact that Mr. Jox may have invited you or anybody
2 else could have invited you, does not relieve you
3 from the obligation with the letter from the Session.
4

5 MR. DAVIS: I'm sorry. I'm kind of slow
6 at kind of going through this, Judge. Do I need to
7 put that in because it's not a may, I did get invited
8 and I did go. I just want to know if he --

9 THE COURT: He is just saying: If what
10 you are saying is accurate, he's saying what he said,
11 you still knew about the letter.
12

13 BY MR. DAVIS:

14 Q. Why with all of the danger and worry and
15 trouble, why wouldn't they have called the police and
16 dragged me out of the wedding?
17

18 GENERAL HARRIS: Object to speculation,
19 Judge.

20 THE COURT: Okay. Do you know
21 anything?

22 THE WITNESS: No, I didn't go to the
23 wedding. I was not familiar with this.

24 THE COURT: Okay. He doesn't know.

25 MR. DAVIS: Okay. You mentioned

1 another incident where I went to church it was in
2 October of 2012 and described how some people got
3 around -- around me or there was a confrontation, you
4 said that every time you came there was trouble. You
5 are the one that talked about it. I didn't bring it
6 up.

7 THE COURT: Okay. What is your
8 question?

9
10 BY MR. DAVIS:

11 Q. Did you sit in board meetings that
12 talked about that event when I came in October of
13 2012?

A. Yes.

Q. You did?

A. I don't have a distinct memory of it,
17 but I mean, I have a vague memory of it.

18 Q. Did you see the police reports?

19 A. I don't recall seeing any.

20 Q. Did a lawyer come in and spend any time
21 with the Session when that happened? This is
22 pre-lawsuits being filed?

23 A. I don't recall that. It possibly could
24 have happened, but I don't have any memory of that.

25 Q. Did the police come?

Jake Wallace witnessed the assault to protect a "Mann Act" Federal crime cover-up. Covenant Property Manager Karl Hamilton video-taped the assault. Austin Davis has a copy of the video.

1 A. I don't think so.

2 Q. Have you seen the police reports since
3 then?

4 A. From that occasion?

5 Q. Yeah.

6 A. I don't know if I have or not to tell
7 you the truth. I have seen a lot of writing about
8 this.

9 Q. Do you know -- do you know why I wasn't
10 arrested in 2012 if the letter had been written to me
11 in 2008?

12 A. I don't know that.

13 Q. Does that seem odd?

14 A. Well, I don't know what odd means, but I
15 think you could have been and I didn't know why you
16 didn't. I wasn't involved in that myself, so...

17 Q. Well, if you tell somebody in 2008
18 supposedly that they are banned and then in 2012 they
19 come twice and you don't do anything, I mean, is that
20 sending a mixed signal to the people or --

21 A. Not to me.

22 Q. Is it making it clear what trespass is?

23 A. Not to me.

24 Q. It isn't?

25

Why did the DA Prosecution Team not provide "police reports" to the jury as evidence? Were the Police reports exculpatory and favorable to the Defendant?

1 THE COURT: Okay. He's answered that.
2 What is your next question?

3

4 BY MR. DAVIS:

5 Q. You mention a meeting in February of
6 2013 that you said you went to --

PCA Leaders are supposed to give
a week's notice for a congregation
meeting.

A. I believe it was February, yes, sir.

9

Q. Yeah. Do you know who -- what was said
in that meeting? I will be curious as to what they
told people.

10

11

A. Well, I think that -- now, this is sort
of -- a lot of this is my vague memory of it. But
the purpose of the meeting was for information for
people who were concerned. It was publicized I
believe in the morning, announcement the worship
service and anybody that wanted to come back was
welcome to do so. The meeting was held upstairs in
one of the Sunday school classrooms, room 224 was one
of our larger classrooms. I would say there were
probably between 50 to 100 people who came. Church
members, I'm sure probably everybody, but there was
concern about the safety of the church and
particularly the children of the church.

12

13

14

15

16

17

18

If members were so upset, how
come only 50-100 showed up?
A Elder-Deacon meeting has 50-
100 people. Were Police at the
meeting? Mrs. Lee Parks said
police had made a statement:
"There is nothing to these claims?"

22

Why did Covenant Elder, Dr.
Lee Parks, take a 12-month
leave-of-absence on May 19,
2008? See May 19th Board
Minutes.

23

Many of these people had received
e-mails from you and they were alarmed. I think

1 again, it was probably in the context of the shooting
2 at the school in Connecticut which was a couple of
3 months earlier. Everybody was still very much aware
4 of that. And I feel like that probably colored
5 people's perception of what was going on. But there
6 were young mothers there who said, can the church
7 guarantee me that my children will be safe if I bring
8 them here to worship with Mr. Davis and these
9 e-mails.

10 Q. You guys concerned about child
11 molesters?
12

GENERAL HARRIS: Objection, Your Honor.

THE COURT: Do you have an answer to

15 that? You can answer it.

16 THE WITNESS: Sure. We are always
17 concerned about the safety and welfare of the
18 children at the church.
19

20 BY MR. DAVIS:

21 Q. Really? And that's --
22

23 THE COURT: Okay. That's argumentive,
24 Mr. Davis, what is your next question?
25

Why didn't the DA subpoena
"scared" mothers to testify?

Is Asst. DA Harris the biggest
ally to a "Mann Act" child sex
abuse cover-up a courtroom
has ever seen?

1 BY MR. DAVIS:

2 Q. What action has the Session taken to
3 protect children from anybody other than me?

4 A. Well, we've taking a numberer of
5 actions. I mean, people generally -- we have locked
6 doors upon the recommendation of our security survey.
7 We have things arranged where people check in. And
8 we check the children in and out. And children who
9 are brought to church and when they go into a room,
10 the mother or the custodian of that child when they
11 bring them, gets a little bracelet with a claim
12 number on there. And that child will only be
13 released to the person who has that bracelet when
14 church is over.

15 And there are some other -- I mean, I'm
16 not completely cognoscente to everything. But I know
17 a number are of steps have been taken to make the
18 church property as secure as we can make it
19 generally.

20
21 MR. DAVIS: Thank you.

22 THE COURT: All right. Any redirect?

23 GENERAL HARRIS: No, Your Honor.

24 THE COURT: All right. Thank you, sir.

25 Ladies and gentlemen, if you will step

1 down the hallway, we will take a short break.

2
3 (Jury exits the courtroom.)

4
5 THE COURT: All right. Get these back
6 to Mr. Davis. Those are the documents that you had
7 hand written notes on and these, the clerk can mark 3
8 and 4 that have been redacted.

9
10 (Exhibits Number 3 and 4 were marked.)

11
12 THE COURT: We will be back at 3:30.

13
14 (Break was taken.)

15
16 THE COURT: All right. Let the jury
17 step down. Who is the next witness?

18 GENERAL CHARLES: Officer James Smith,
19 Your Honor.

20 THE COURT: All right. James Smith.

21
22 (Whereupon, the jury was present in the
23 courtroom.)

24
25 THE COURT: All right. Officer, I

1 think you are the next witness, if you will raise
2 your right-hand and be sworn.

3 **SURPRISE WITNESS – NOT ON DA'S WITNESS LIST**

4 **JAMES SMITH,**

5 was called as a witness, and after having first duly
6 sworn, testified as follows:

7
8 **DIRECT EXAMINATION BY GENERAL CHARLES:**

9 Q. Good afternoon, sir. Could you state
10 and spell your full name please?

11 A. James Smith. J-A-M-E-S, S-M-I-T-H.

12 Q. And where do you currently work?

13 A. For Metro Nashville Police Department.

14 Q. All right. Were you working with the
15 Metro Nashville Police Department back on October
16 25th, of 2015?

17 A. Yes.

18 Q. Okay. And what unit of the police
19 department were you working with on October the 25th
20 of 2015?

21 A. I was working with Midtown Hills
22 Precinct patrol officer.

23 Q. Okay. Could you give the jury just a
24 broad overview of what a patrol officer does?

25 A. Patrol officer basically answers all

1 calls for services. Anything from normal complaints
2 from -- we get from 911 or 862-8600. Sometimes we do
3 some proactive activities such as traffic stops,
4 business checks, community contacts?

5 Q. On Sunday, October 25th of 2015, did you
6 get a call to respond to the address of 33 Burton
7 Hills Boulevard?

8 A. Yes.

9 Q. Is that here in Nashville?

10 A. Yes.

11 Q. And could you tell the jury what is
12 located at 33 Burton Hills Boulevard?

13 A. It's the -- I believe it's the Covenant
14 Presbyterian Church.

15 Q. Would that be the Covenant Presbyterian
16 Church?

17 A. Presbyterian.

18 Q. All right. And is there also a school
19 on that property, to your knowledge?

20 A. Not to my full knowledge, but it's a
21 very large church, multiple buildings.

22 Q. Okay. And was another patrol officer
23 with you on that date by the name of Officer John
24 Daugherty?

25 A. John Daugherty, yeah.

1 Q. John Daugherty, okay. And when you
2 arrived at the church, did a man greet you who was a
3 member of the church by the name of Herb Kneeland?

4 A. Yes.

5 Q. And was Mr. Kneeland to your knowledge a
6 member of the church and I believe an alderman of the
7 church?

A. Yes, ma'am.

Q. Okay. And was Mr. Kneeland concerned
that Mr. Austin Davis was on church property?

11 A. Yes.

12 Q. Okay. And did you learn that Mr. Davis
13 had been warned not to go on church property before
14 October 25st of 2015?

15 A. Yes, I did.

**If the Scott Troxel letter is a
fake, will Officer Smith and
Asst. DA Harris arrest and
prosecute Scott Troxel.**

16 Q. And did you learn that the church had
17 mailed a letter dated June 27th of 2008 to Mr. Davis
18 telling him to stay off of the church property?

19 A. Yes.

20
21 GENERAL CHARLES: Your Honor, at this
22 time, if we could retrieve Exhibit 2 and show it to
23 Officer Smith.

24

25

BY GENERAL CHARLES:

**Fake Trespass Letter with no
Session or Member approval.
See Covenant Board Minutes at
the back of this link. Exculpatory
info was provided to DA.**

1 Q. Officer Smith, that day that you
2 responded to the church, were you shown a copy of
3 that letter?

4 A. I was.

5 Q. And is that in fact the same letter that
6 you have in front of you?

7 A. Yes.

8 Q. And were you present when that letter
9 was shown to Mr. Davis?

10 A. Yes.

11 Q. Did Mr. Davis acknowledge that he had
12 seen that letter before?

13 A. He did.

14 Q. Okay. And is that letter on official
15 church letter head and is it signed by an individual
16 by knowledge name of Scott Troxel?

17 A. It is.

18 Q. Did you speak that day with Mr. Davis
19 about the letter?

20 A. I did.

21 Q. And again, did Mr. Davis admit to you
22 that he had received that letter before October 25th
23 of 2015?

24 A. Yes, he stated he had read it and
25 understood it.

Austin Davis understood
the letter was fake.

Very slick police testimony
transforms a "fake" letter into
an "official" letter. Are Nash-
ville street cops proud of the
DA Funk's use of Nashville
Police officers to protect a
"Mann Act" Federal crime
cover-up with the sworn
testimony of two police
officers?

1 Q. On that date of October 25th, was Mr.
2 Davis given a verbal warning by police not to return
3 to that church property?

4 A. Yes, it was given by me.

5 Q. And was that -- on that same day, was
6 Mr. Davis given yet another verbal warning by the
7 church by Mr. Kneeland not to return to church
8 property?

9 A. Yes.

10 Q. And on that date did Mr. Davis appear to
11 understand he was longer -- it was no longer
12 acceptable for him to come on to the property and
13 that any further actions he took to place himself on
14 the property would be trespassing?

15 A. Yes, he complied with us.

16 Q. And Mr. Davis was not arrested that day,
17 correct?

18 A. He was not.

19 Q. But he was told by several people not to
20 return?

21 A. Yes, ma'am.

22 Q. And he acknowledged receiving that
23 letter?

24 A. Yes, ma'am.

25 Q. Do you see Mr. Davis in the courtroom

1 today who was the man who was warned to stay off of
2 the church property on October 25th of 2015, and if
3 so, could you please point him out and describe what
4 he's wearing?

5 A. Yes, I do. He is sitting there to my
6 right, male white, glasses, dark sports coat.

7
8 GENERAL CHARLES: Okay. Your Honor, if
9 we would let the record reflect that Officer Smith
10 correctly identified Mr. Davis.

11 THE COURT: Okay.

12 GENERAL CHARLES: If I could have a
13 moment.

14 I don't have any further questions.
15 Thank you, sir.

16 THE COURT: All right. Any questions,
17 Mr. Davis?

18
19 **CROSS-EXAMINATION BY MR. DAVIS:**

20 Q. Good afternoon, Officer Smith, how are
21 you doing?

22 A. Good. How are you?

23 Q. All right. You -- you are not the one
24 that came into the -- my memory may not be too great,
25 but I don't think you are the person that came into

1 the sanctuary and came down to the front where I was
2 sitting and got me out of my pew?

3 A. I was present. I was one, but not the
4 actual officer that asked you to get up.

Why didn't Officer
Tom West testify?

5 Q. Was -- was I doing anything bad that you
6 could see?

7 A. No, sir.

8 Q. Was I just sitting in church quietly or
9 peacefully doing what other people do which is
10 worshiping God?

11 A. You were attending church service.

12 Q. Do you all do this a lot around town?
13 I'm just curious is that something you've done
14 before? Is that a common thing, a routine thing or
15 is that something that is unusual?

16 A. In regards to do a lot of what?

17 Q. Going into the doors of a church while
18 the service is going on and going down and getting a
19 man, or woman, or child out of a seat and taking them
20 out in front of the building?

21 A. What we do is -- if we respond to a call
22 or an official or manager, supervisor, anybody of
23 that property or business has stated that someone is
24 causing a disturbance and they have asked them to be
25 removed, we will assist that business property or

1 business organization, school, anything like that to
2 remove them.

3 Initially I remember us approaching you
4 calmly, politely asking you to come out with us. At
5 no point --

6 Q. Was there a disturbance?

7 A. We asked you to come with us to talk.

8 Q. I mean, did I -- did I resist or create
9 a disturbance or anything?

10 A. No, sir.

11 Q. Was I creating a disturbance or anything
12 or --

13 A. No, sir.

14 Q. Was a creating a disturbance prior to
15 that?

16 A. Not to my knowledge.

The Asst. DA did not enter
any police reports in to
evidence?

17 Q. Do you know -- I don't know whether I
18 have to introduce this to ask the question or not,
19 this is the police report from that day -- do you
20 know -- I -- do you know who in the media contacted
21 the police?

22 A. No, sir. All we received was a -- we
23 get a message on our computer which the call/text had
24 stated something that the media had contacted us.
25 I'm not sure through 911 or -- but I am pretty sure

1 it was through 862-8600 that there was a disturbance
2 at the church and asked us to respond.

3 Q. So the call that went into the police
4 wasn't even coming -- it was coming in from the
5 media?

**WHO with the MEDIA reported
Austin Davis to Nashville Police?**

6 A. I'm not sure where it was coming from,
7 that's all they announced their self was media.

**Was it WSMV News Anchor
Demetria Kalodimos? Why
didn't Demetria Kalodimos
testify or provide sworn
testimony at the trial? See
info at bottom of page.**

8 Q. Did you see any media at the church?
9 Did you see any trucks or channel four news or
10 channel five or were any of them there that day?

11 A. No, not to my knowledge.

12 Q. Any idea how they would be reporting me
13 or why they would be or somebody in the media would
14 be calling and reporting me or why they would be, or
15 somebody in the media would be calling and reporting
16 me as a disturbance?

17 A. I mean, media is a broad range, it could
18 be a single reporter, not a whole news church. So I
19 don't know if a church member attends there, I can't
20 tell.

21 Q. But this was a phone call, so did you
22 all interview that person?

23 A. No, sir.

**Vol II - Page 21-22.
DA Statement Before Jury.
Why did WSMV gaslight
Austin Davis to protect a
"Mann Act" Federal crime
cover-up?**

Q. Would they be a good witness to have
here to talk today? I mean, I would like to know who

Q. I know Demetria Kalodimos asked your _____
husband to stop following her.

1 that was.

2 A. I'm not sure.

3 Q. You don't know.

4 Do you remember at what point in time
5 this happened in was it the beginning of the service,
6 the end of the service?

7 A. I can't recall. This happened 2015.

8 Q. Yeah. That makes sense. And when I
9 went to the front, you and Herb Kneeland and some
10 other people, I think Officer West, you all went to
11 make some calls or do whatever y'all were doing?
12 Y'all were a good ways away from me, I stood at the
13 front with Officer Daugherty. What -- what would --
14 why wasn't I just arrested and taken out? What was
15 the -- what were you all calling about?

16 A. I believe we didn't -- I didn't make any
17 calls. We had -- I was talking to Mr. Kneeland who
18 was stating the situation again to -- about you being
19 on the property and you were -- they stated to me
20 that you were not supposed to be on the property.

Does "letterhead" prove authentic property ownership? Is "letterhead" more important than a property deed, church board minutes, and by-laws? Why did the Asst. Asst. DA keep exculpatory evidence from the jury?

Another person went to go retrieve the letterhead showing -- that we end up showing you, which you state understood it and have read it. Anybody making phone calls, I don't know about that. We just separate ourselves to avoid any confrontation between

1 you and a church official.

2 Q. Was there a trespass waiver with the
3 police department?

A. Not on our record.

Q. So there is no posted trespass signed on
the property, no waiver? Can he explain what a
waiver is, what a trespass waiver is?

THE COURT: I don't -- is that your
question?

MR. DAVIS: Yeah. I would like him to
explain that. The jury may not understand it.

THE COURT: Do you know what that is?

THE WITNESS: Yeah. We -- the police
department has or gives out pieces of paper which is
a documentation asking for a no trespass letter,
basically the church or any business location can
sign this document, get it notarized and turn it into
the police department.

It goes into our records to show that
basically we don't need an official or a manager,
supervisor anything of that aspect to be actually be
there to physically arrest somebody for trespassing.

Now, I know at that time Mr. Kneeland
and other church officials did not want to prosecute

Why did Police say on the
Oct 25th audio that the trespass
waiver was expired-- when
Covenant did not have a
waiver?

1 at that time, but stated they would further and
2 future dates if you returned.

3
4 BY MR. DAVIS:

5 Q. Were you -- you were not with me very
6 long, but I was with Officer Daugherty for a while,
7 good while. And I actually have a recording of all
8 of that if we can enter that in to -- **Transcript accuracy?**

9
10 THE COURT: What do you have questions
11 of this officer?

12 MR. DAVIS: Well, I don't know -- I'm
13 pro se, so I don't know what I'm doing, I'm just
14 asking. So if I ask him a question, I don't know
15 whether I can submit a recording into the Court so
the jury can listen to what was said when all of this
happened.

18 THE COURT: I'm just wanting you to ask
19 questions, whatever questions you have of Officer
20 Smith.

**Judge Dozier did not allow the
Oct 25, 2015, recording to be
played for the jury.**

22 BY MR. DAVIS:

23 Q. I reported a child sex abuse crime to
the police that were there that day. While you were
back there talking, did anybody tell you about that

**Judge Dozier did not allow
the Oct 25, 2015, audio
recording to be entered
as a exhibit.**

**Asst. DA Harris and Charles
know the child sex abuse is
not a "myth," but the
"malicious prosecution" is
pushed hard, and the DA's
office is still defending the
"malicious prosecution" on
July 12, 2019, before Judge
Cheryl Blackburn.**

1 or anything?

2 A. I know you had stated something and I
3 provided a number that would relate to that.

4 Q. Is that not an issue or concern with the
5 police department? Is it not -- can not report it
6 just to officers if I see one and tell them that I
7 want to report a crime? Is it the duty of the
8 citizen to keep doing it or does anybody actually get
9 involved that's a cop?

10 A. That's a what?

11 Q. That's an actual cop, you know, that you
12 give them the information. Do they actually go do
13 anything or does it fall back on the citizen to keep
14 driving it and he has to write 10,000 e-mails to
15 everybody that everybody ignores?

16

17 THE COURT: I think he is asking: Can
18 he report to you when you are there on another call a
19 concern that he has about a -- some prior child
20 sexual abuse?

21 THE WITNESS: Okay. Yes, you can
22 report something, but my memory recalls that you
23 stated you had already reported it. Which I provided
the number to the detective, which would have handled
that case or a detective that can recall that case.

Police apparently aren't concerned if a citizen points out possible corruption within the police department.

Even the new Nashville Police Oversight Committee has ignored Austin Davis.

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BY MR. DAVIS:

Q. Yeah. I think I was saying that I didn't trust what had been done on that and was looking for other avenues hoping there had been somebody within the police department that might care about children?

A. I understand, but a detective is more specialized in those departments or investigations, where I am a patrol officer. I can initially respond to the initial call, take a report.

Q. Yeah. I mean I'm not -- I'm just asking if --

GENERAL CHARLES: Your Honor, at this point I would object, he's no longer asking questions. He is -- what is your next question?

THE COURT: Well, maybe -- what is your next question?

[Transcript accuracy?](#)

MR. DAVIS: Y'all at the DA's office --

THE COURT: Okay. Don't get into discussions with the other parties, just what is your question of this officer?

BY MR. DAVIS:

1 Q. Did you go back there, did you all get
2 on the phone and call the police station and ask if
3 there was a trespass waiver?

4 A. Again, I did not call. I do have a
5 radio which I can call dispatched who advised me that
6 there was no trespass waiver at the time.

7 Q. Advised you that there was or wasn't?

8 A. There was not.

9 Q. So you came into church took me out. I
10 stood? Front of the building for 30 minutes while a
11 whole -- everybody in the world was around me and
12 basically y'all came back and showed me a letter from
13 2008?

14 A. Yes, sir.

15 Q. Have you looked at the police reports
16 from 2012?

17 A. I was not with the police department
18 then.

19 Q. What does it mean when it says unfounded
20 on a police report?

21 A. To my knowledge it's -- there is no
22 probable evidence or cause that would further push it
23 to someone being arrested or --

24 Q. That's from the police department?

25 A. Uh-huh.

1 Q. So if the police department had come and
2 talked to you in 2012 about trespass and said
3 something is unfounded, are they making kind of a
4 ruling at that point in time as police that there is
5 nothing -- this guy is not trespassing?

If the 2008 trespass letter
was powerless in 2012,
where did it get power in
2015?

THE COURT: You're asking him about --

8 MR. DAVIS: I'm asking him what
9 unfounded means because there --

10 THE COURT: No, you said 2012. He said
11 he wasn't on the department then, so --

12 MR. DAVIS: I've asked him about
13 unfounded.

14 THE COURT: He's answered that.

15 MR. DAVIS: Okay.

16 THE COURT: What is your next question?

17 MR. DAVIS: Well, I don't have the
18 police officers here from 2012, so there is nobody
19 here to ask on the stand.

20 THE COURT: Okay. Well he wouldn't --

21 MR. DAVIS: Well, this started in 2008,
22 we've already discussed 2008.

23 THE COURT: Right. But he wouldn't
24 know about what some police officer did in 2012.

25

1 BY MR. DAVIS:

2 Q. Just to be clear, somebody can call you,
3 you don't really know whether they have the authority
4 or not, but they just call you and you are the police
5 and so you just come up there and you can -- you were
6 looking for authority in the sense that day, weren't
7 you? Were you looking for it?

8 A. Well, we were approached by Mr. Herb
Kneeland that stated he was an elder man or decon of
the church.

Herb Kneeland was the only witness against Austin Davis before ex-Judge Casey Moreland (Worrick Robinson's long-time friend). Federal Judge John Bryant replaced Herb Kneeland as a witness for the jury trial. The medical letter was not in the Defendant's trial record at the courthouse?

14 Q. Have you ever had anybody lie the you?
15 As a cop, have you ever had anybody up there in a
16 nice suit or anything? Have they ever had anybody
say, I'm king congress and I can do wherever I want
to do and that guy is a bad guy, go arrest him, have
you ever had anybody do that?

17 A. I mean, people lie to police all of the
18 time.

19 Q. Is it possible that people lie and told
20 you stuff that day and then you went back there and
21 made phone calls and then found out that I couldn't
22 be arrested?

23 A. What was the question?

24

25 THE COURT: He said did you find out

1 through whatever means that day that he, Mr. Davis,
2 couldn't be arrested?

3 THE WITNESS: Couldn't be arrested? We
4 responded to a call that you were -- it was a public
5 disturbance. Basically we investigated by talking to
6 you, which you had complied with us. I talked with
7 Mr. Kneeland. I do believe the church pastor came
8 out too, which also they presented us this letter. I
9 presented it to you, you stated you read it,
10 understood it.

Defendant Austin Davis understood the letter was a fake.

11 Mr. Kneeland -- which we as police
12 officers we verified there was no trespass waiver so
13 I could prosecute on their behalf. I asked if they
14 wanted to prosecute, they stated that they were
15 giving you a warning, with the police giving you a
16 warning, as I do with other trespass issues. If I've
17 never met you before, then I give you a warning.

18 At that point, they wanted to give you a
19 warning would you comply to leave, which you did.
20 But you were advised not to return.

Do Nashville Police own
the Covenant Property.

21
22 BY MR. DAVIS:

23 Q. So is your warning, when you warn
24 somebody, is that an infallible warning, so if you
25 went anywhere, if you just said you can't go here,

1 you're not there, is it based on that authority of
2 your warning or is it based on the power coming from
3 somewhere else? What is it in my -- was I arrested
4 later on because you gave a warning and so that
5 warning is final even though there wasn't a trespass
6 waiver in there?

7 A. The warning came from the church
8 officials who stated you were not to return. I gave
9 you a warning which was to my knowledge that you were
10 not allowed back on the property.

11 Q. So you are trusting that that is valid,
12 that warning that they are giving you? You are not
13 basing it on your power and your badge or anything,
14 you are basing it on what they are telling you?

15 A. Yes, sir.

16 Q. You are just the -- kind of the
17 executioner of whatever it is that's been done? I'm
18 just trying to get that down because there is a line
19 of authority here and I'm just making sure that the
20 State isn't up at the church deciding who can come up
21 there or not?

22 A. No, sir. Basically Mr. Kneeland, who
23 stated he was an elder man as well as the pastor, I
24 believe came up to us and said you are not allowed.

25 Q. But the letter you saw, you are not an

1 expert on the Presbyterian, the ownership of the
2 property, so you see the letter and it's just -- it
3 could have been a letter from Tom Smith who didn't
4 even go to church their, if they still hand you that
5 letter, you can look at it and go, Okay. I'm going
6 to go warn Mr. Davis?

7 A. Yes, sir.

8 Q. Even on this report, this is the one
9 from 2015, it says unfounded, what does that mean?
10 This is a couple of weeks before I got arrested, what
11 does unfounded mean?

12 A. Which report is that? Is it the report
13 I did?

14 Q. I don't know?

15

16 THE COURT: Which -- which incident are
17 you talking about? Which report.

18 MR. DAVIS: I'm talking about the
19 police report from --

20 THE COURT: From when?

21 MR. DAVIS: Do I need to hand this in?
22 I've got it right here.

23 THE COURT: No, just from when? What
24 date.

25 MR. DAVIS: It's October 25th, 2015.

1
2 THE WITNESS: Okay. I know what you
3 are talking about. To be found unfounded on that
4 report because it came out, I put the offense as
5 criminal trespass, you were not arrested, so
6 therefore I cannot be open because you were -- an
7 open case would mean it's an ongoing investigation.
8 Unfounded basically since you were not guilty
9 arrested, that it was unfounded. There was no
10 probable cause arrest. If you were arrested, I would
11 assume it would have been founded.

The police report Austin
Davis filed was "open,"
not unfounded.

12 MR. DAVIS: Thank you.

13

Asst. DA Charles continued to
protect the "malicious
prosecution" even as a "Mann
Act" Federal crime cover-up
continued.

REDIRECT EXAMINATION BY GENERAL CHARLES:

14 Q. Officer Smith, the term unfounded does
15 not mean that Mr. Davis was not trespassing on the
16 property, correct?

17 A. That's correct.

18 Q. And on that day, he could have very well
19 could have been arrested because he had been given
20 notice not to be on the property, correct?

21 A. Yes.

22 Q. And the reason he was not arrested is
23 because the church was being gracious and nice and
24 decided to just give a verbal warning; is that right?
25

1 A. Yes, ma'am.

2 GENERAL CHARLES: Thank you, sir.

3 THE COURT: All right. Any other
4 questions, Mr. Davis, based on that series of
5 questions?
6

6

7 **RE-CROSS-EXAMINATION BY MR. DAVIS:**

8 Q. Is it possible to make a false arrest?

9 A. In this case?

10 Q. In any way?

11 A. It's possible. Anything is possible.

12 Q. I mean, is it possible to make a false
13 arrest in this case? I mean, I'm in here. Is it
14 possible that --

15 A. In this case, no.

16 Q. Huh?

17 A. In this case, if the church wanted to
18 prosecute, they would have prosecute, we would have
19 arrested you.

20 Q. I understand that, and a jury will
21 decide, but is it possible that I was arrested when I
22 shouldn't have been?
23

24 THE COURT: You talking about? You are
25 jumping into November?

The DA's Office does not care if someone falsely accuses a citizen, convicts a citizen, and jails a citizen. The DA's Office will actually do the "dirty work" to obtain the conviction.

1 MR. DAVIS: Yeah. Is it possible,
2 could there be some bad, something --

3 THE COURT: I don't -- were you
4 involved in that?

5 THE WITNESS: I was not involved in
6 that incident.

7 THE COURT: Okay. He doesn't know
8 about November.

9

10 BY MR. DAVIS:

11 Q. Oh, you weren't there in November?

12 A. No, sir.

13 Q. Okay. As a policeman, is it possible to
14 arrest somebody and then be wrong about it?

15 A. Anything is possible.

16

17 MR. DAVIS: Okay. Thank you.

18 THE COURT: Any other questions?

19 GENERAL CHARLES: No, sir.

20 THE COURT: All right. You can step
21 down an be excused.

22 All right. Who is the next witness?

23

24 GENERAL CHARLES: Officer John
25 Daugherty.

JOHN DAUGHERTY,

was called as a witness, and after having first duly sworn, testified as follows:

DIRECT EXAMINATION BY GENERAL CHARLES:

Q. Sir, can you state your full name and spell your first and last name?

A. John Daugherty. J-O-H-N,
D-A-U-G-H-E-R-T-Y.

Q. And Officer Daugherty, where do you work and how long have you worked there?

A. I work for the Metropolitan Nashville Police Department. I've worked there for about three years now.

Q. Back on October 25th of 2015, were you working with the midtown patrol?

A. I was.

Q. And did you get a call to respond to 33 Burton Hills Boulevard on that date?

A. I did.

Q. And can you tell the jury what was located at 33 Burton Hills Boulevard?

A. We responded to a report of a trespasser at that location which is a church. I arrived on scene after a couple of other officers and they had

1
Were Office Daugherty and Grand Juror Solomon Holley in the secret grand jury room together? Does the secret grand jury meet at the DA's Office?

1 began talking to Mr. Davis and the investigation sort
2 of went from there.

3 Q. Is there also a school on that property?

4 A. To my knowledge, yes.

5 Q. Okay. And did you meet with an
6 individual from the church who was the official
7 representative of the church that day, an Herb
8 Kneeland?

9 A. Yes, I did.

10 Q. And did you also immediate and speak
11 with Mr. Davis that day?

12 A. I did.

13 Q. Okay. And did you learn that Mr. Davis
14 had been warned before that date not to go on the
15 church property?

16 A. I did.

17 Q. And did Mr. Davis acknowledge that he
18 knew he was not supposed to be on the church
19 property?

Judge Dozier did not let the
audio tape be played for
the jury.

20 A. Yes. He told me I think that he had
21 received this -- a letter advising that he wasn't
22 welcome on the property.

23 Q. And that letter again was shown to
24 Mr. Davis that day; is that correct?

25 A. Correct.

1 Q. And did Mr. Davis tell you that even
2 though he had received the letter not to come to the
3 church, that he came back to the church several
4 times?

5 A. Yes. He told me he had been back to the
6 location multiple times since he received that letter
7 letting them know that he wasn't welcome.

8 **Oct 25, 2015** Q. Was Mr. Davis acting strangely that day?

9 A. I would -- in my opinion, yes. My
10 entire -- almost my entire time dealing with him or
11 talking to him, he had his hands raised and he kept
12 telling me that -- we were just having a normal
13 conversation and then once in a while he would tell
14 me that, you know, he was afraid that I was going to
15 shoot him or one of the other security guards was
going to shoot him and that he was the only one
without a gun and he was worried about it.

Austin Davis saw Sgt. Holley in a photo with an assault rifle. He suspected other church members were also armed with concealed weapons. At least one death threat had been sent to the Davis home, and many other threats had been received. The jury needed to hear the audio tape.

Q. Did Mr. Davis acknowledge that he knew that church members were afraid of him?

21 A. He kept -- one of statements -- yes, he
22 did. One of statements he made was that he wanted to
23 make it seem like the church members didn't have to
24 fear him. And the way he portrayed that was that
25 they -- he knew that they feared him, he was just
trying to make it where they weren't going to any

1 more.

2 Q. On October 25st of 2015, was Mr. Davis
3 given a verbal warning by police not to return to the
4 property?

Do Nashville Police now
own the Covenant Property?

5 A. Yes.

6 Q. And on this date did Mr. Davis appear to
7 understand the verbal warning and that he would in
8 fact be arrested and charged trespassing if he ever
9 went to the property again?

10 A. Yes, I specifically told him that. He
11 said he understood and he left the property.

12 Q. Despite the letter he was present on
13 October 25th of 2015, despite the verbal warning that
14 you an officer Smith gave to him on that same date,
15 did Mr. Davis return to the church on November 15th,
16 of 2015?

17 A. He did.

18 Q. By this point had the church hired
19 private security to watch for Mr. Davis? Grand Juror Solomon Holley?

20 A. I'm not -- I know that they had private
21 security. I'm not aware -- I'm not sure when they
22 hired them or if they hired extra. I know that they
23 were put on notice -- the private security was put on
24 notice because they were worried about Mr. Davis
25 coming back. So they were told that if they saw him,

Private Security was
put on notice?

Do Officer Daugherty and Grand
Juror Solomon Holley know each
other or do any off-duty security
work together?

1 that he was -- that he was believed to be a danger
2 and they should call police immediately.

3 Q. And on that date of November 15th of
4 2015, did you again get called out to the church?

5 A. I did.

Did Sgt. Holley call the police
on the Nov 15th arrest?

6 Q. And was this out of -- or was this from
7 a call reporting Mr. Davis was at the church?

8 A. Well, it originally came out as a
9 robbery hold up alarm where someone had -- one of the
10 security members or within of the staff had pressed
11 their panic buttons, which is classified as a robbery
hold up for our purposes and our dispatch purposes.
So we really didn't know what we were responding to
until we arrived on scene.

Was it a "panic" button or phone
calls to the police? Why wouldn't
the police let Austin Davis have
a copy of the 911 call? Who called
and what was said to police? Lots
of calls to police but it was tough
to get reports or recordings from
police.

12 And I think -- I believe right as we
13 were pulling up on the scene we got on update that
14 the same Mr. Davis was back and they were worried
15 that something was about to happen violently or
something of that nature.

More lies and hysteria to
protect a "Mann Act"
Federal crime cover-up.

16 Q. And on that date of November 15th, 2015,
17 was Mr. Davis placed under arrest an charged with
18 aggravated criminal trespassing?
19

20 A. He was.

21 Q. On November 15th of 2015, did Mr. Davis
22 enter and remain on the church property where a

The 2-year internal
"non-investigation" of
Pastor Jim Bachmann
would end a week later
on Nov. 22, 2015.

1 school was located?

2 A. Yes.

3 Q. Had Mr. Davis previously been born by
4 the police and the church not to come to the
5 property?

6 A. Yes.

7 Q. Had Mr. Davis, by his own admission,
8 acknowledge that he knew he was scaring the church
9 members?

10 A. Yes.

Judge Dozier did not let the
audio tape be played for
the jury.

11 Q. Do you see Mr. Davis in the courtroom
12 today, the man you arrested for trespassing on
13 November 15th of 2015, and if so, could you point him
14 out and describe what he is wearing?

15 A. I do. He is sitting at defense table
16 wearing a sport coat and a light blue button down.

17

18 GENERAL CHARLES: If we could let the
19 record reflect that Officer Daugherty correctly
20 identified Mr. Davis.

21 THE COURT: Okay.

22 GENERAL CHARLES: If I could have one
23 moment, please.

24 I don't have any further questions for
25 you.

1 THE COURT: All right. Questions,
2 Mr. Davis?

3
4 **CROSS-EXAMINATION BY MR. DAVIS:**

5 Q. What day of the week was that?

6 A. Sunday.

7 Q. Sunday. What time of day was it?

8 A. I believe it was either -- it was either
9 late morning, just during -- church service I know
10 was going on.

11 Q. And to be clear, this is -- I'm talking
12 about October 25th right now, so --

13 A. Okay.

14 Q. There are two different times. So on
15 October 25th and you are saying it was around
16 11 o'clock or something? 11 --

17 A. I know it was later morning when church
18 services were going on. I don't recall the exact
19 time.

20 Q. Did you see any kind of disturbance that
21 I caused?

22 A. I did not see at that time.

23 Q. Or I was alleged to have caused. Did
24 you see or know if the school was operating and
25 running on Sunday, the school, the private schools

1 there?

2 A. I'm not aware of whether it was or was
3 not.

4 Q. Did you -- were you a witness at my
5 first indictment?

6 A. I don't believe so. I don't -- I don't
7 recall if I testified or not, I may have been court
8 blocked.

9 Q. And when the DA went back and added the
school and came back and got a second indictment
against me, were you a witness at that one?

12 A. No.

13 Q. No. So you hadn't been a witness at
14 either one of the indictments?

15 A. Do you mean at --

**Was Police Officer John
Daugherty with Sgt.
Solomon Holley in the
secret grand jury when
the Defendant was
indicted a 2nd time?**

16
17 THE COURT: By witness, are you talking
18 about appearing at the grand jury?

19 MR. DAVIS: The grand jury, yeah. His
20 name was on it, I'm just wondering.

21 THE WITNESS: We don't generally go to
22 the grand jury to testify. It's usually done by
23 officers presenting ours case or reading our reports,
24 if I understand it correctly.

25

**Why is John Daugherty listed
as a grand jury subpoena
witness on the 2nd indictment
if he did not testify?**

1 BY MR. DAVIS:

2 Q. Did anybody say anything that day on the
3 25th when you came like we got to get over here and
4 protect the kids at the private school or any of this
5 stuff?

6 A. I only spoke with you from -- pretty
7 much the entire interaction I was with you, so I
8 didn't talk to any one else.

9 Q. Okay. You have a tough job, I
10 appreciate it. I know it's tough, all of the jobs
11 you all do. I just know it was an unusual day.

12 When they were making their phone calls
13 and we were talking, you were telling me that you
14 didn't think I needed to have my hands up?

15 A. That's correct.

16 Q. And I was expressing to you that I was a
17 little concerned about some people up there and
18 wanted to make sure that they knew I wasn't a threat
19 to anybody?

20 A. I believe you told me you were concerned
21 about me and the other -- the security officer who
22 was with us because we were armed and you weren't.

23 Q. Well, I was -- yeah. I was concerned
24 about the other people there that might be armed?

25

1 THE COURT: Okay. Well, what is your
2 question?

3 MR. DAVIS: Well, I'm trying to get --
4 he's -- he's asked -- I mean he's said I -- specific
5 people were scared of me, or that I -- he's
6 acknowledged that they are scared of me, I'm trying
7 to get him to acknowledge that I was very scared of
8 the people there and it took a lot of guts to go
9 there.

10 THE WITNESS: I don't have any way of
11 knowing what you were feeling or whether you were
12 scared or not.

Untrue. The Oct 25, 2015,
audio tape recorded what
Officer Daugherty was told.

13
14 BY MR. DAVIS:

15 Q. And I spent some time telling you about
16 Mike Huckabee and the child molester cover up that
17 had gone on there, correct?

18 A. That was one of the topics you covered,
19 yes.

20 Q. Does it seem normal or odd that I'm in
21 court and that nobody involved in the child sex abuse
22 case is in court?

A. From what I understand, we are here on
an aggravated trespass, so...

Q. Is it possible that people lie to police

The trial was focused on aggravated criminal trespass but it should have been about a child sex abuse cover-up. Instead of focusing on a child-molester, the DA proceeded with a "malicious prosecution" to protect a "Mann Act" Federal crime cover-up.

1 and get police to do bad things but they made up?
2 The police themselves may not be bad, but is it
3 possible that someone with a lot of power, federal
4 judge was able to get the police to go to dirty work
5 for them?

6 A. Are you asking me if it's possible?

7 Q. Yeah, is it possible.

8 A. I'm mean, I'm sure it's possible.

9 Q. Without you necessarily even knowing
10 what's going on?

11 A. It's possible. Extremely unlikely,
12 yeah, absolutely.

13 Q. Do people who commit crimes sometimes
14 cover them up?

15 A. Sure.

16 Q. Do they want to be found out? Are they
17 trying to do whatever they can to get found out?

18 A. I'm sure some of them --

19 Q. Your run of the mill criminal that you
20 chase down the street and he's got something in his
21 pocket or he's done something, would he just walk up
22 to you and say here, let me show you everything and
23 give it to you or would he be trying to hide?

24

25 GENERAL CHARLES: Your Honor, at this

1 point I'm going to object to relevance. I'm not
2 sure --

3 THE COURT: It's probably not, but it
4 would be quicker to let him answer it.

5 THE WITNESS: The -- I'm sure people
6 want to get a way with crimes they commit.

7

8 BY MR. DAVIS:

9 Q. You were there when they showed a letter
10 to me from 2008?

11 A. Yes.

12 Q. Have you seen the letter?

13 A. I have.

14 Q. Have you seen the letter that I wrote
15 that's already been entered into the Court? Have you
16 seen the letter that was written two days before that
17 letter?

18 A. No.

19

20 MR. DAVIS: Can we let him look at that
21 letter?

22 THE COURT: Sure.

23

24 BY MR. DAVIS:

25 Q. As a police officer as you red that

1 letter, is there anything about that letter that if
2 somebody sent that to you or whatever that you would
3 have some questions about?

4 A. As a police officer?

5 Q. Yeah or as a person or anything?

6 A. As a police officer it doesn't really
7 involve me.

8 Q. You said that when they called you that
9 it said that there had been a robbery, hold up at the
10 church?

**Did Sgt. Holley call the police
on the Nov 15th arrest?**

12 A. That's -- it's a classification process
13 for panic alarms. It's how our dispatch classifies
14 a -- there is a few different ways when you press a
15 panic alarm that it can be classified. Usually when
16 it comes from a business or an organization or
17 something or a commercial building or something, it
18 comes out as a robbery or hold up alarm. If it's a
19 residential, like a house, it will come out as a --
just a panic alarm.

20 Q. So if it's a trespassing and you're
21 going to it, would your -- would you heightened
22 energy in it be less than if you thought you were
23 going to a robbery or a hold up?

24 A. It would -- depends on the situation.

25 Q. Well, usually if you go where somebody

1 is trespassing, you expect to have a gun battle or if
2 you went to where you thought a robbery hold up was,
3 would that be of concern to you?

4 A. Some of my -- to be honest with you,
5 some of my worst calls have started off as trespass
6 ares and have ended up with, you know, fights,
7 chases, gunshots, things like that. So I don't -- as
8 a police officer, I don't assume that anything is
9 going to be worse or less.

10 Q. The robbery hold up at a pretty
11 prominent Green Hills church sitting up on top of a
12 hill close to Belle Meade and everything, that
13 wouldn't make you a little worried that there might
14 be something going on up there that might be bad?

15 A. I was worried. It was a matter of weeks
16 after the previous run in we had up there on -- I
17 guess that was October 15th or -- 25th, the first
18 time you and I interacted.

19 Q. Okay was I peaceful both times?

20 A. Yes.

21 Q. And the first time, I'm not sure who
22 walked me back to my car, was that you or do you
23 remember?

24 A. I walked you back to your car.

25 Q. You walked me back to the car. And do

1 you remember me apologizing and saying I'm sorry you
2 have to be brought up here but that this may be the
3 only way that I have a chance of exposing what's
4 going on?

5 A. I don't recall the exact words. I do
6 believe you did apologize for us having to come out
7 here. I don't remember how much further it went than
8 that.

9 Q. The second time when you came in
10 November and you were the one that hands cuffed me
11 and --

12 A. Yes, sir.

13 Q. And did I resist you?

14 A. No.

15 Q. Or cuss you or have a problem? Was a
16 very peaceful?

17 A. Yes.

18 Q. Was I armed either time?

19 A. No.

20 Q. Can you understand the first time why I
21 might have been -- I'm just asking the question: Why
22 I might have been some what apprehensive if I thought
23 I had the right to go to church to worship God and
24 that I was going to have to go through thugs or what
25 ever to get there?

1 A. Are you referring to me as a thug or I'm
2 not sure what --

3 Q. I'm referring to anybody, if there is a
4 free space -- if we want to come to the Court house
5 and we go in, we normally don't have to have our
6 guard up and know we can walk-through the doors and
7 go in, and we have a right to go in. And so if -- if
8 that still holds true for church that you are able to
9 walk-through the doors peacefully and not have people
10 threaten you or do things to you, can you understand
11 how there might be apprehension and fear on my part?

12 A. There was a lot of parts to that
13 question. I don't know why you had any reason to
14 fear any of the police officers there.

15 Q. Well, I feared everybody there. I've
16 seen some people get shot and things have happened in
17 the United States, I'm not necessarily expecting it,
18 but it's happened pretty quickly.

19
20 THE COURT: All right. What is your
21 question?

22

23 BY MR. DAVIS:

24 Q. Well, do innocent people sometimes get
25 shot by police?

1 A. Possibly. I mean, I'm sure at some
2 point there have been, sure.

3 Q. So when ever they are around and you got
4 guns is it charged? Is there anything that could
5 possibly happen like I remember when you all asked me
6 to see some identification, I did that and I was very
7 careful because I'm reaching down in my pocket. I'm
8 just trying to get the jury to understand that once
9 cops are there and things are around you, that people
10 may think you are making a move or doing something
11 wrong, especially if they think you are armed or
12 dangerous?

13 A. Our --

14

15 THE COURT: Do you understand the
16 question of --

17 THE WITNESS: I think I do.

18 MR. DAVIS: I think he does.

19 THE COURT: All right. Go ahead.

20 THE WITNESS: Our interaction, the
21 reason we had a discussion over anything was because
22 you stood outside the church doors and had your hands
23 up for 30 minutes straight and I kept asking you why
24 you thought that was necessary.

25

1 BY MR. DAVIS:

2 Q. If you had been told that someone had a
3 gun and was set up in a car and that you were the
4 target, would you not want anybody to shoot you if
5 you were going anywhere, is that normal?

6 A. Can you rephrase that for me.

7 Q. If somebody came and said, I want to
8 shoot Officer Daugherty, I've got a gun, I want to
9 shoot him if he comes anywhere near what I'm doing
10 and that word gets passed back to you, would that
11 make you concerned about being shot?

12 A. I would be concerned of whoever is
13 supposed to shoot me, yes.

14 Q. Or if they thrown your name around?
15 That I'm a soot seen, I'm not armed, I don't have a
16 gun, so I'm just saying that there is apprehension
17 and fear and I'm just wanting the jury to understand
18 that the church may have some, but there is some on
19 the other side too. Which is -- can you understand
20 why I might have had my hands up?

21 A. I don't understand why you had your
22 hands up. And I think one of our -- another part of
23 your discussion was why if you were so afraid of
24 every one there, that you continued to come back.
25 And so I didn't really --

1 Q. And that's when I think I told you there
2 is a child sex abuse cover up going on up here and
3 this is the only way that I may have peacefully to
4 expose it?

5 A. Okay. I don't -- if you are asking me
6 if I understand what your motives were there and your
7 actions, I don't, and I told you that that day.

8 Q. Yeah. I mean, trespass and child sex
9 abuse, the who things, which one to you as a police
10 officer is more maybe important?

11 A. If you're going for which one is more
12 serious, child sex abuse.

13 Q. Okay. In 20 -- November, I think
14 November 15th, 2015, while I was being handcuffed
15 there was some -- I don't remember who the other
16 officer was, there is a video of all of it, but do
17 you, do you know why my wife and daughter were
18 blocked and not allowed to go in?

19 A. I don't. That would have -- that would
20 have been up to the church deacons or whoever it was
21 making the decisions.

22 Q. Did they report them or say that they
23 are banned and that they can't going to church?

24 A. Not to me.

25 Q. So if people were blocking them or doing

1 things to them, is there anything wrong with that, or
2 is that an acceptable practice in Nashville?

3 A. I don't know what the circumstances
4 surrounding that were.

5 Q. So if I go down in front of the
6 courthouse and start blocking people from coming in
7 and tell them they can't come in and everything,
8 would I be in trouble with the law or would I be
9 allowed to do that?

10 A. I'm sure you would run into trouble at
11 some point.

12

13 MR. DAVIS: Okay. Thank you.

14 THE COURT: All right. Any redirect?

15 GENERAL CHARLES: No, Your Honor.

16 THE COURT: All right. Thank you, sir.

17 You can step down and be excused.

18 All right. Who is the next witness?

19 GENERAL HARRIS: State rests, Your

20 Honor.

21 THE COURT: Okay. Are you -- members

22 of the jury, are you okay? I know we just broke an

23 hour ago, but are you okay with going another

24 30 minutes or so or --

25 (The jury indicated in the affirmative.)

The State of Tennessee rested their prosecution. Defendant's Witnesses and Transcript Volume II are not provided because The State of Tennessee did not provide "proof" to support their malicious prosecution. Scott Troxel lied in Court because he did not obtain Session approval for writing his "rogue" trespass letter, and he did not obtain the consent of 1000+ property owners. (See Board Minutes at the back of this link to confirm Scott Troxel's deceptive testimony, although deliberately lying in court to protect a "Mann Act" Federal crime child sex abuse cover-up does not seem to matter, even if you are a Federal Judge.) A new trial – mistrial motion will be heard on July 12, 2019, before The Honorable Cheryl Blackburn. The jury's verdict is below.

6 (Whereupon, the jury was present in the
7 courtroom.)

8
9 THE COURT: All right. Mr. Faila, you
10 are the foreperson.

11 MR. FAILA: Yes, sir.

12 THE COURT: And the jury has arrived at
13 unanimous verdict?

14 MR. FAILA: We have.

15 THE COURT: All right. If you will
16 stand, please, sir, and announce that verdict on
17 behalf of the jury.

18 MR. FAILA: We the jury, find the
19 defendant, Willie Austin Davis, count one, guilty of
20 aggravated criminal trespassing.

21 THE COURT: All right. If you will
22 find that document into the Court officer.

23 And ladies and gentlemen you have heard
24 your -- the verdict announced here on behalf of you.
25 By your for person, if that is your individual

1 verdict, if you would indicate so by raising your
2 hand. Keep your hand -- just so I will know that
3 that is a unanimous verdict.

4
5 (Whereupon all jurors raised hands in
6 the affirmative.)

7
8 All right. Anything further from the
9 State?

10 GENERAL HARRIS: No, Your Honor.

11 THE COURT: Anything further Mr. Davis?

12 MR. DAVIS: No, sir.

13 THE COURT: Okay. Ladies and
14 gentlemen, I appreciate your service to the Court
15 that you have provided in this case. You have been
16 discharged from your case and your jury service this
17 week. You can step down the hallway with the Court
18 officer.

19
20 (Jury exits the courtroom.)

21
22 THE COURT: All right. Mr. Davis, you
23 can remain standing there. That is that they have
24 found you guilty of aggravated criminal trespass.
25 That verdict will become the judgment of the Court.

1 We could, and I can hear from both sides. I mean
2 this is -- as the parties know, not a felony, it's a
3 misdemeanor there is not a requirement under the law
4 that there be any presentence report done. We could
5 go forward with a sentencing hearing, we could and I
6 guess I will ask you Mr. Davis, do you want a week or
7 so to just prepare for a sentencing hearing or would
8 you rather go forward with it now or what?

9 At a sentencing hearing, the State --
10 does the state know if you would have any proof to
11 present?

12 GENERAL HARRIS: That's possible,
13 Judge, I will have to --

14 THE COURT: I will switch to you and
15 then I will talk more to Mr. Davis here in a moment.
16 Are you of the opinion you would want to reset it for
17 a sentencing hearing?

18 GENERAL HARRIS: It might be
19 appropriate to do my due diligence to make sure what
20 proof, if any we might want to present.

21 THE COURT: Okay. And here Mr. Davis
22 is what would occurred next, after a sentencing
23 hearing, that triggers any appellate, motion for new
24 trial that has to be filed within 30-days of the
25 hearing and which you know we can talk about later

1 after -- whenever we have that sentencing hearing.
2 But at a sentencing hearing the State can present
3 witnesses, if they choose to about, and I'm not
4 saying they would in this case, but just generally
5 the law allows them to present proof about prior
6 criminal history, prior -- anything that's relevant
7 to what should occurred as a result of this A
8 misdemeanor conviction you can call character
9 witnesses. You can put on witnesses if you choose to
10 in terms of what the Court should do in terms of
11 probation, jail, all of those issues that would be
12 resolved in a sentencing hearing.

13 So with that in mind, do you want to --
14 is it -- do you have any preference say setting this
15 off just a couple of weeks to give you and the State
16 time to prepare for that sentencing hearing?

17 MR. DAVIS: That's fine.

18 THE COURT: Is 9-28 on okay day?

19 That's a Thursday.

20 MR. DAVIS: That's fine.

21 THE COURT: And it would be at nine.

22 Does that state work for the State?

23 GENERAL HARRIS: Yes, Your Honor.

24 THE COURT: We will set it 9-28 for a
25 sentencing hearing.

1 If you want -- do you, Mr. Davis, want
2 the Court -- it's on-line, but we could quickly here
3 print out the statute dealing with misdemeanor
4 sentencing. Would you like a copy of that?

5 MR. DAVIS: Yeah, that would be fine.
6 Uh-huh.

7 THE COURT: If you will hang tight we
8 will get you that and then we will reset this for
9 9-28.

10 All right we will be in recess.

11 * * *

12

13

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1 I the undersigned, Shana Crawford,
2 official court reporter for the 20th Judicial
3 District of the State of Tennessee, do hereby certify
4 the foregoing is a true accurate and complete
5 transcript to the best of my knowledge and ability of
6 the proceedings had and evidence introduced in the
7 captioned cause.

8 I further certify that I am neither attorney
9 for, nor related to the parties to this cause and
10 furthermore that I am not a relative of any attorney
11 or counsel of the parties hereto or financially
12 interested in the action.

13
14
15
16
17
18 -----
19 Shana Crawford, LCR

20 Official Court Reporter
21
22
23
24
25

CERTIFICATE OF THE COURT

This transcript of proceedings is
tendered to the judgment of the Court, which
transcript of proceedings is filed within the time
allowed by law and rules of the Court, and which is
signed and sealed and ordered to be made part of the
record in this cause.

This _____ day of _____ 20__.

JUDGE

APPROVED:

ATTORNEY FOR THE STATE.

ATTORNEY FOR THE DEFENDANT.

**NO SESSION APPROVAL OR CONGREGATION CONSENT FOR SCOTT TROXEL TRESPASS LETTER
OF JUNE 27, 2008**

SESSION MEETING MINUTES
Covenant Presbyterian Church
33 Burton Hills Boulevard
Nashville, Tennessee 37215

**Austin Davis provided the DA the
exculpatory Board Minutes but
the DA continued with the
"malicious prosecution."**

A stated meeting of the Session was held Monday, March 24, 2008, 6:30 PM, at the church.

ELDERS PRESENT

Wade Hyatt Dewey Thomas
Petrie Mitchell Phil Schulz
John Avery Don Bull
Ed Jernigan Mike Bishop
Jim Spann Scott Troxel
John Gilbert

ELDERS ABSENT

Herb Kneeland—Excused
John Hollis
Tom Cox
Jake Wallace
Wade McGregor

DEACONS PRESENT

Gary Dean

GUESTS PRESENT

Lalli Barney—Children's Ministry Coordinator

Moderator: Pastor: Jim Bachmann
Associate Pastor: Larry Ferris -
Visitor and New Members Director: Rick Arendale
Senior High Youth Pastor: J Hager

Associate Pastor: Jack Foster
Associate Pastor: Roy Carter
Youth Pastor: Phil Roach

**Did Scott Troxel and Federal Judge
John Bryant commit perjury for their
PCA brethren to convict and jail
Austin Davis?**

I. Quorum present and meeting called to order.
Meeting opened with devotion and prayer.

II. M/S/P Approved the Session meeting minutes of February 18, 2008 and correspondence.

- A. M/S/P Approved transfer of Crawford Stevener to Providence PCA, Dallas, TX
- B. M/S/P Approved transfer of Derek & Tiffany Holland to Covenant PCA, Chattanooga, TN
- C. M/S/P Approved transfer of Tally & Anna Clower to First Presbyterian EPC, Rome, GA

III. Staff Reports

Lalli Barney—a written Children's Ministry Report was provided to the Session. Informed Session the Jennifer Shands would be leaving the staff in June because of a job change for John.

Jack Foster—Led a discussion among the Session concerning small groups. Discussed structuring small-groups based out of Sunday School classes.

Roy Carter—Discussed upcoming Men's Retreat at Montgomery Belt State Park.

Phil Roach—Servo (Service Projects) and D-groups are being well attended and providing great ministry for middle schoolers.

J Hager—Gave report on Senior High summer mission trip to Reynosa, Mexico, Reformed Youth Movement Retreat and the Bridgmont trip all coming up this summer.

Rick Arendale—Thanks to elders for their help in contacting recent new members for assimilation purposes.

IV. Old Business

- A. M/S/P—New Worship Service Times will be initiated on the first Sunday of June.
The Services will be as follows:
First Service: 8:15—9:25
Sunday School: 9:40—10:25
Second Service: 10:50—12:00

IV. Old Business, cont.

- B. M/S/P—New Worship Service Times will be initiated on the first Sunday of June.
The Services will be as follows:

First Service: 8:15—9:25
Sunday School: 9:40—10:25
Second Service: 10:50—12:00

This service schedule will be evaluated in August to consider its extension or discontinuation.

- C. M/S/P—New pew Bibles to be purchased for the new sanctuary will be English Standard Version.

V. New Business

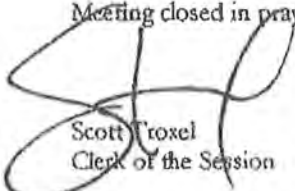
- A. Gary Dean presented the proposed budget for the 2008-2009 fiscal year.
M/S/P—Approved a \$4.26 Million budget.
M/S/P—Budget to be amended with the addition of \$50,000 for Building and Grounds for the Grading and Installation on the Harding side of the church property.

- B. M/S/P—The following member candidates:
- | | |
|---------------------------|---------------------------|
| Heather Chipps | James Craig |
| David and Madeleine Dunn | Romney Dickinson |
| Roe and Sandy Frazier | J and Natalie Hager |
| Robert and Patty Hooker | J. Ryan Humphreys |
| Chris Johnston | George and April Khoury |
| Della Kramedjian | J.B. and Mary Joyce Lynch |
| Mike and Stacy McCormick | Amy Milburn |
| Will Milburn | Will and Michelle Nowell |
| Walter and Nancy Schultz | Megan Tomashewski |
| Heather Tuohy | Melissa Windham |
| Greg and Meredith Zimlich | Andrew and Lauren Pittard |

- C. M/S/P—Approval of Graham Adams/Ken Burns Wedding on May 17, 2008.
- D. M/S/P—Bid the grading and leveling of a lawn area at the bottom of the Harding side of the church property. If the cost exceeds \$50,000, Covenant School will be asked to participate in the cost. Ted Potter will oversee this process.
- E. M/S/P—Designate gifts from members to be directed for the purchase of software for Yvette Kasparian.

Next Meeting—Monday, April 21, 2008

Meeting closed in prayer.


Scott Troxel
Clerk of the Session

S. James Bachmann, Jr.
Senior Pastor

**A PROTECTED CHILD-MOLESTER WENT
TO PCS IN ARIZONA FOR SEX ADDICTION
TREATMENT IN APRIL 2008. A "MANN ACT"
FEDERAL CRIME COVER-UP WAS IN
PROGRESS AND IS STILL ON-GOING IN 2019.**

NO SESSION APPROVAL OR CONGREGATION CONSENT FOR SCOTT TROXEL TRESPASS LETTER OF JUNE 27, 2008

SESSION MEETING MINUTES
Covenant Presbyterian Church
33 Burton Hills Boulevard
Nashville, Tennessee 37215

A called meeting of the Session was held Wednesday, April 2nd, 2008, 7:30 PM, at the church.

ELDERS PRESENT

John Avery
Herb Kneeland
Phil Schulz
Don Bull

Scott Troxel
Lee Parks
Dewey Thomas

ELDERS ABSENT

Phil Schulz
Mike Bishop
Tom Cox
Ed Jernigan

Wade McGregor
Wade Hyatt
Jim Spann

GUESTS PRESENT

Dale Lewelling

Moderator: Pastor Jim Bachmann
Associate Pastor: Larry Ferris

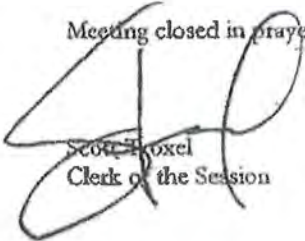
Associate Pastor: Jack Foster
Associate Pastor: Roy Carter

I. Meeting opened with prayer.

II. M/S/P To hire Pastor Wayne Herring as a part-time assistant pastor to serve as Director of Senior Ministries \$60,000 annual salary (no benefits to be provided other than assisting with the moving expenses) or \$45,000 for the 2008 fiscal year. Employment would begin July 1, 2008. Job description attached.

M/S/P—to adjourn

Meeting closed in prayer.



Scott Troxel
Clerk of the Session

S. James Bachmann, Jr.
Senior Pastor

Did Scott Troxel and Federal Judge John Bryant commit perjury for their PCA brethren to convict and jail Austin Davis?

Austin Davis provided the DA the exculpatory Board Minutes but the DA continued with the "malicious prosecution."

A PROTECTED CHILD-MOLESTER WENT TO PCS IN ARIZONA FOR SEX ADDICTION TREATMENT IN APRIL 2008. A "MANN ACT" FEDERAL CRIME COVER-UP WAS IN PROGRESS AND IS STILL ON-GOING IN 2019.

NO SESSION APPROVAL OR CONGREGATION CONSENT FOR SCOTT TROXEL TRESPASS LETTER OF JUNE 27, 2008

CONGREGATIONAL MEETING MINUTES

Covenant Presbyterian Church
33 Burton Hills Boulevard
Nashville, Tennessee 37215

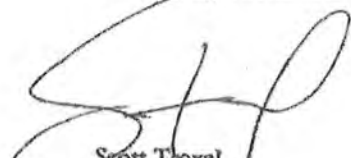
A Congregational Meeting for Covenant Presbyterian Church was held April 6, 2008, 9:30 AM, at the church.

- I. Opening prayer by Pastor Jim Bachmann
- II. M/S/P Scott Troxel nominated as Clerk
- III. Quorum established..
- IV. Nominees introduced and ballots distributed and collected.
- IV. M/S/P To Adjourn.

**NEW ELDERS AND DEACONS ELECTED
IN CONGREGATIONAL MEETING.**

Meeting closed in prayer by Pastor Roy Carter

Respectfully submitted:



Scott Troxel
Clerk of the Session

Jim Bachmann
Moderator of the Session

**Did Scott Troxel and Federal Judge
John Bryant commit perjury for their
PCA brethren to convict and jail
Austin Davis?**

**Austin Davis provided the DA the
exculpatory Board Minutes but
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"malicious prosecution."**

**A PROTECTED CHILD-MOLESTER WENT
TO PCS IN ARIZONA FOR SEX ADDICTION
TREATMENT IN APRIL 2008. A "MANN ACT"
FEDERAL CRIME COVER-UP WAS IN
PROGRESS AND IS STILL ON-GOING IN 2019.**

**NO SESSION APPROVAL OR CONGREGATION CONSENT FOR SCOTT TROXEL TRESPASS LETTER
OF JUNE 27, 2008**

SESSION MEETING MINUTES
Covenant Presbyterian Church
33 Burton Hills Boulevard
Nashville, Tennessee 37215

A stated meeting of the Session was held Monday, April 21, 2008, 6:30 PM, at the church.

ELDERS PRESENT

Mike Bishop
Don Bull
Phil Schulz
Ron Kimery
Herb Kneeland
Pug Scoville
Dewey Thomas
Jack Herndon

Jody Elder
Joe Butler
David Hunsucker
John Avery
Dale Lewelling
Wade McGregor
Joe Eades

ELDERS ABSENT

Brad Southern—Excused
Lee Parks
Tom Cox
Wade Hyatt
Petrie Mitchell
John Gilbert
John Hollis
Jim Spann

**Austin Davis provided the DA the
exculpatory Board Minutes but
the DA continued with the
"malicious prosecution."**

GUESTS PRESENT

Liz Griffin—Women's Ministry Coordinator

Moderator: Pastor: Jim Bachmann
Associate Pastor: Larry Ferris
Associate Pastor: Roy Carter

Associate Pastor: Jack Foster
Visitor and New Members Director: Rick Arendale

- I. Quorum present and meeting called to order.
Meeting opened with devotion and prayer.
- II. M/S/P Approved the Session meeting minutes of March 24, 2008 and correspondence.
 - A. Received letter from Tom Cummings, Jr. and followed with prayer.
 - B. M/S/P Approved transfer of Chris and Heather Devaney membership to Lookout Mountain Presbyterian PCA, Chattanooga, TN
- III. WIC Reports
Liz Griffin—Provided the list of new officers for the Women in the Church Council and sub-committee Chairwomen
An overview of the vision for this year, the study topics and also the needs present in the Council was provided.
- IV. Old Business
 - A. Determination of C-Groups
M/S/P—During the summer months, there will be three Wednesday night events along with a form of C-group structure and form a committee to study the short-term and long-term need, strategy and structure.
The committee will consist of: Pug Scoville, Scott Troxel (convener), Herb Kneeland and Jack Foster as the Pastoral Staff representative.
- V. New Business
 - A. M/S/P Subscribe for 20 copies of "By Faith" magazine and provide for members/attenders in the lobby.
 - B. M/S/P—A tree will be planted with a plaque noting the species of the tree and the Class that is donating the tree.

VI. Staff Reports

Larry Ferris—M/S/P—Church sponsored missions trips are allowed to solicit designated gifts for these trips.
M/S/P—Ray Hales to be added to the World Missions Committee.

Roy Carter—Gave a report on the Men's Retreat. An excellent number present with good outcome.

Rick Arendale—Strong numbers attending the Inquirers Classes with larger than normal spring classes.
Encouraged elders to contact members they have interviewed in the past.

Jack Foster—Every Thursday, five to seven members of the choir visit shut-in members of the church.
Stephen Ministry—trained members ready to be sent to people with needs.
Jack's Sunday School is seeing a full class every Sunday made up with many new members.

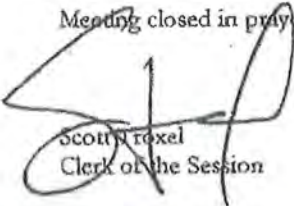
Jim Bachmann—St. Olaf choir would like to conduct a concert in our sanctuary Saturday, January 31st 2009.
Tickets would be sold for this concert. The choir would be responsible for housing. Concern was expressed as to whether the sanctuary would be complete.

The Associate Pastor search committee to fill Stuart Latimer's position is recommending that Matthew T. Bradley be issued a call.
The Session will Reconvene for a called meeting for the purpose of voting on this decision Wednesday, April 23rd at 7:30 PM.

VII. Adjournment

Next Stated Meeting—Monday, May 19, 2008

Meeting closed in prayer.



Scott Troxel
Clerk of the Session

S. James Bachmann, Jr.
Senior Pastor

**Did Scott Troxel and Federal Judge
John Bryant commit perjury for their
PCA brethren to convict and jail
Austin Davis?**

**A PROTECTED CHILD-MOLESTER WENT
TO PCS IN ARIZONA FOR SEX ADDICTION
TREATMENT IN APRIL 2008. A "MANN ACT"
FEDERAL CRIME COVER-UP WAS IN
PROGRESS AND IS STILL ON-GOING IN 2019.**

NO SESSION APPROVAL OR CONGREGATION CONSENT FOR SCOTT TROXEL TRESPASS LETTER OF JUNE 27, 2008

SESSION MEETING MINUTES
Covenant Presbyterian Church
33 Burton Hills Boulevard
Nashville, TN 37215

Austin Davis provided the DA the exculpatory Board Minutes but the DA continued with the "malicious prosecution."

A called meeting of the Session was held Wednesday, April 23, 2008, 7:30 PM, at the church for the purpose of calling a new Assistant Pastor and adding a member to the Home Missions Committee.

Elders Present

John Avery
Don Bull
Tom Cox
Joe Eades
Jody Elder
Jack Herndon

David Hunsucker
Wade Hyatt
Ron Kimery
Dale Lewelling
Wade McGregor
Lee Parks

Phil Schulz
Pug Scoville
Brad Southern
Dewey Thomas

Elders Absent

Joe Butler
Herb Kneeland
Scott Troxel
Jack Wallace

Guests: Bill Nutter; Christie Hart

Moderator: Jim Bachmann
Associate Pastor: Roy Carter
Associate Pastor: Larry Ferris
Associate Pastor: Jack Foster

A PROTECTED CHILD-MOLESTER WENT TO PCS IN ARIZONA FOR SEX ADDICTION TREATMENT IN APRIL 2008. A "MANN ACT" FEDERAL CRIME COVER-UP WAS IN PROGRESS AND IS STILL ON-GOING IN 2019.

- I. The meeting opened with prayer.
- II. Bill Nutter presented the background on the search for an Assistant Pastor. The committee was charged with identifying a candidate to minister to young adults and married with children. Requirements included a candidate with an academic bent and a heart for pastoring. Ninety resumes were received and five interviews conducted from the pool.

Christie Hart shared her experience in the process and her thoughts on the candidate unanimously recommended by the committee.

The following motion was made and seconded, followed by discussion and subsequent vote.

M/S/P - Accept the recommendation of the Search Committee to call Matthew Bradley as Assistant Pastor.

The Session expressed gratitude to the committee for its work in the search.

- III. **M/S/P** - Accept the recommendation of the Home Missions Committee to add Ben Sensing as a member to the committee.
- IV. The meeting was closed in prayer.


Ronald P. Kimery
Elder

S. James Bachmann, Jr.
Senior Pastor

Did Scott Troxel and Federal Judge John Bryant commit perjury for their PCA brethren to convict and jail Austin Davis?

**NO SESSION APPROVAL OR CONGREGATION CONSENT FOR SCOTT TROXEL TRESPASS LETTER
OF JUNE 27, 2008**

SESSION MEETING MINUTES
Covenant Presbyterian Church
33 Burton Hills Boulevard
Nashville, TN 37215

**Austin Davis provided the DA the
exculpatory Board Minutes but
the DA continued with the
"malicious prosecution."**

A called meeting of the Session was held Wednesday, **April 30 2008**, 7:10 PM, at the church for the purpose of ordaining new church officers.

Elders Present

John Avery	Ron Kimery	Jack Wallace
Don Bull	Dale Lewelling	
Joe Butler	Wade McGregor	
Joe Eades	Phil Schulz	
David Hunsucker	Dewey Thomas	

Elders Absent

Tom Cox	Lee Parks
Jody Elder	Pug Scoville
Jack Herndon	Brad Southern
Wade Hyatt	Scott Troxel
Herb Kneeland	

Guests: Members of congregation present at Wednesday night event.

Moderator: Pastor Larry Ferris
Associate Pastor: Roy Carter
Associate Pastor: Jack Foster
Visitor and New Member Director: Rick Arendale

- I. The meeting followed a Bible study which had been opened in prayer.
- II. Pastor Ferris explained the process and then administered the ordination vows to **Jack Wallace (Elder)** and Clay Richards (Deacon). Hands were laid on Jack and Clay and a prayer was offered by Pastor Carter.
- III. The meeting was closed with the singing of a doxology.


Ronald P. Kimery
Elder

Larry Ferris
Associate Pastor

**Did Scott Troxel and Federal Judge
John Bryant commit perjury for their
PCA brethren to convict and jail
Austin Davis?**

**A PROTECTED CHILD-MOLESTER WENT
TO PCS IN ARIZONA FOR SEX ADDICTION
TREATMENT IN APRIL 2008. A "MANN ACT"
FEDERAL CRIME COVER-UP WAS IN
PROGRESS AND IS STILL ON-GOING IN 2019.**

Called Meeting – Covenant Presbyterian Church Session May 7, 2008

A special called Session meeting was held on May 5, 2008 to consider the following three items of business:

1. Report of interviews of Catechism class students.
2. Report and recommendation from Music Minister search committee.
3. Administrative/Personnel matter relating to the call of Matt Bradley.

Elders present: Jim Bachmann, Roy Carter, Jack Foster, Larry Ferris, Phil Roach, Jack Wallace, David Hunsaker, Pug Scoville, Phil Schultz, Brad Southern, Don Bull, Wade Hyatt, Jack Herndon, Jody Elder, Joe Butler, John Avery, Tom Cox, Ron Kimery.

Representing Music Minister search committee: Frank Benton, Prudy Nichol

Also in attendance were several parents of the young people interviewed.

Meeting opened with prayer.

In the absence of the Clerk, Jack Herndon was appointed acting clerk

1. Elders reported results of their interviews with the following:

Jack Waldrup
Mark McDonald
Grace Woolery
Margaret Tulloch
Franklin

Did Scott Troxel and Federal Judge
John Bryant commit perjury for their
PCA brethren to convict and jail
Austin Davis?

M/S/P that they be welcomed as communing members of the church and make their public profession of faith on Sunday, May 11th.

2. Frank Benton and Prudy Nichol from the Minister of Music search committee gave a report on the committee's activities and work since they began in October 2006. Based upon their search, the committee recommended that we call Paul Randall Maygar as our Minister of Music with salary and benefits to be coordinated with the personnel committee. **M/S/P that we call Paul Maygar as our Music Minister.**

3. The Personnel Committee asked the Session to consider a minor change to Matt Bradley's call to address transitional health insurance coverage.
M/S/P that the church pay the cost for the appropriate transitional health coverage for Matt Bradley.

There being no further business relative to the purpose of the called meeting, the meeting was adjourned with prayer.

Acting Clerk,

Jack Herndon

Austin Davis provided the DA the
exculpatory Board Minutes but
the DA continued with the
"malicious prosecution."

**NO SESSION APPROVAL OR CONGREGATION CONSENT FOR SCOTT TROXEL TRESPASS LETTER
OF JUNE 27, 2008**

SESSION MEETING MINUTES
Covenant Presbyterian Church
33 Burton Hills Boulevard
Nashville, TN 37215

**Austin Davis provided the DA the
exculpatory Board Minutes but
the DA continued with the
"malicious prosecution."**

A stated meeting of the Session was held on **Monday, May 19, 2008**, 6:30 PM, at the church.

Elders Present

Lee Parks
Brad Southern
Pug Scoville
Ron Kimery
David Hunsucker

Joe Butler
Dewey Thomas
Don Bull
Joe Eades
John Avery

Wade Hyatt
Jack Herndon
Phil Schulz
Dale Lewelling
Herb Kneeland

Elders Absent

Tom Cox
Scott Troxell
Wade McGregor
Jack Wallace

Guest: Lalli Barney, Children's Ministry Coordinator

Moderator: Pastor Jim Bachmann
Associate Pastor: Larry Ferris
Associate Pastor: Jack Foster

- I. Quorum present and meeting called to order. Meeting opened with a devotion and prayer.
- II. Approved the minutes of March 24, April 2, April 21, April 23, and April 30.
- III. Lalli Barney gave an overview of the June 9-13 Vacation Bible School.
- IV. **M/S/P** - Removed from the church membership roll: Lee & Lindsay Ballew, Romney Dickinson, Richmond & Sarah Ross, and Tom Cummings, Jr.
- V. **M/S/P** - Transferred Patrick & Amy O'Mara to Lawndale PCA, Tupelo, MS; David & Kelly Richter to Trinity PCA, Rochester, MN
- VI. **M/S/P** - Approved Lee Parks' request for a 12 month leave of absence from active Session.
- VII. Pastor Larry Ferris reported on the summer Wednesday night programs:
May 14 – Calvin and Hogs
June 29 – Patriotic Music Program by the choir and a meal
July – Picnic in Warner Park
August – Catfish and Calvinism
- VIII. Tom Ashcraft's Retirement
M/S/P - Tom will be given the title of Music Director Emeritus.
M/S/P - During the month of June, a letter will be sent to the congregation asking for voluntary gifts for Tom's retirement gift.

June 22: The pastors will announce Tom's retirement and recognize his service to Covenant.
June 29: After the music program, Tom will be honored for his service and leadership.

M/S/P - Tom Ashcraft will be paid his base salary and annuity contribution from July 1 to December 31, 2008. He will be responsible for obtaining his own

medical insurance either through Medicare or Cobra. John Avery will confirm this by a legal review.

Pastor Jack Foster discussed the summer C groups and said there are 7 groups formed.

Joe Eades reported on a divorced church family that may involve a possible discipline issue.

Pastor Jim reported 30+ new members joining the church June 8.

Next Session meeting July 21, 2008.

Meeting closed with prayer.

Herbert D. Kneeland, III
Elder

S. James Bachmann, Jr.
Senior Pastor

**Did Scott Troxel and Federal Judge
John Bryant commit perjury for their
PCA brethren to convict and jail
Austin Davis?**

**A PROTECTED CHILD-MOLESTER WENT
TO PCS IN ARIZONA FOR SEX ADDICTION
TREATMENT IN APRIL 2008. A "MANN ACT"
FEDERAL CRIME COVER-UP WAS IN
PROGRESS AND IS STILL ON-GOING IN 2019.**

THERE WAS NO COVENANT SESSION MEETING IN JUNE 2008.

25 June 2008

Dear Member of the Covenant Commonwealth:

After six long years, I have prayerfully and reluctantly provided you (and other members of the Commonwealth) very serious and true information regarding events which occurred in the Lord's House.

In recent weeks, some have characterized my truthful words and factual information as "exaggerated" and "divisive" against the "unity and peace" of the Church.

For the public record, I stand by my true testimony and the on-going assault against the Christian character of myself, my wife and my mother-in-law.

As members of the vulnerable commonwealth, you have a right to know if the men in the pulpit can be trusted.

If the facts and evidence supporting my letters are uprightly determined to be untrue by the leadership of Covenant, I call for Pastor Jim Bachmann to publicly declare the letters to be a lie to safeguard the Lord's Commonwealth which he has vowed to shepherd and protect.

If the facts and evidence supporting my letters are uprightly determined to be true by the leadership of Covenant, I call for immediate public repentance, restitution, and reconciliation to the glory of Christ and His Church.

This next Sunday would be an appropriate time for six years of lies and slander to come to an end.

I continue my prayers for God's grace that men will be led to repentance for the good of their eternal souls.

Respectfully,

Austin Davis

Austin Davis

Austin Davis learned from two witnesses about the child-molester in 2012-2013. Four years earlier in April 2008, the protected child-molester went to PCS in Arizona for "sex addiction" treatment without a report being made to police. A "Mann Act" Federal crime cover-up was in progress when June 25th letter was written, and is still in progress in 2019.

**ON MAY 19, 2008, THE COVENANT SESSION MINUTES STATED:
NEXT SESSION MEETING JULY 21, 2008.**

THERE WAS NO COVENANT BOARD MEETING IN JUNE 2008.

**ON JUNE 27, 2008, SCOTT TROXEL WROTE AND MAILED A
“TRESPASS” LETTER SECRETLY BANNING AUSTIN DAVIS
WITHOUT THE COVENANT SESSION APPROVAL, AND
WITHOUT THE VOTING CONSENT OF THE CONGREGATION
(1000+ MEMBERS).**

**ON JULY 14, 2008, COVENANT DEACONS AND ELDERS WERE
PROVIDED A SECURITY BRIEFING WITH A NASHVILLE POLICE
OFFICER PRESENT FOR THE COVENANT SESSION MEETING.**

**SCOTT TROXEL TESTIFIED HE WAS AUTHORIZED TO SEND THE
“TRESPASS” LETTER, BUT SCOTT TROXEL WROTE THE
“TRESPASS” LETTER 17 DAYS BEFORE THE COVENANT SESSION
MET.**

WILL SCOTT TROXEL BE PROSECUTED FOR PERJURY?



COVENANT
PRESBYTERIAN
CHURCH

.....
S. James Bachmann, Jr.
Senior Pastor

A COUNTERFEIT TRESPASS LETTER

June 27, 2008

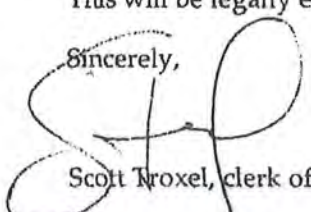
Mr. Austin Davis
2895 Wilshire Drive
Nashville, TN 37215

Dear Austin,

This letter serves as notice that henceforth your presence on our church property will be considered trespassing. You are not a member of our church, we do not recognize your letters, and we ask that you refrain from further harassment.

This will be legally enforced.

Sincerely,


Scott Troxel, clerk of the Session

Covenant Session Clerk Scott Troxel repeatedly testified that his June 27th "trespass" letter was approved by the Covenant Session. Clerk Troxel's Covenant Session Board Minutes do not record the Session approved the June 27th letter. Will DA Glenn Funk prosecute Scott Troxel for perjury? Does Pastor Chad Scruggs teach "lying" or telling the "truth" to his members?

33 Burton Hills Blvd.
Nashville, TN 37215
Phone: (615) 383-2206
Fax: (615) 383-3093

.....
A Congregation of the
Presbyterian Church
in America

17 Days after Scott Troxel wrote his fake "trespass" letter, Covenant Elders and Deacons were provided a security briefing with Nashville Police present in the Board Meeting. The protected molester quietly resigned as a member in good standing while Austin Davis was falsely gaslighted as a perceived "security concern" to protect a "Mann Act" Federal crime cover-up which is still on-going in 2019.

SESSION MEETING MINUTES
Covenant Presbyterian Church
33 Burton Hills Boulevard
Nashville, Tennessee 37215

A stated meeting of the Session was held Monday, July 14, 2008, 6:30 PM, at the church.

ELDERS PRESENT

Phil Schulz
Ron Kimery
Joe Butler
John Avery
Herb Kneeland
Jack Herndon
Brad Southern
Mike Bishop
Tom Cox

Scott Troxel
Joe Eades
Wade Hyatt
David Hunsucker
Wade McGregor
Dale Lewellen
Don Bull
Pug Scoville

ELDERS ABSENT

Dewey Thomas
Jack Wallace
Jody Elder

A PROTECTED CHILD-MOLESTER WENT TO PCS IN ARIZONA FOR SEX ADDICTION TREATMENT IN APRIL 2008. A "MANN ACT" FEDERAL CRIME COVER-UP WAS IN PROGRESS AND IS STILL ON-GOING IN 2019.

GUESTS PRESENT

Officer Tawana Chick—Metro Nashville Police Department
Deacons, Warrick Robinson

Moderator: Pastor: Jim Bachmann
Associate Pastor: Larry Ferris
Associate Pastor: Roy Carter
Assistant Pastor: Wayne Herring

Associate Pastor: Jack Foster
Visitor and New Members Director: Rick Arendale
Assistant Pastor: Matt Bradley

- I. Quorum present and meeting called to order.
Meeting opened with devotion and prayer.
- II. Combined meeting with the Deacons was conducted. Officer Chick, Joe Eades, Jim Bachmann and Warrick Robinson provided background concerning Austin Davis. Mr. Robinson advised that the Session's response to the perceived security concerns did not have to be the strongest legal response available, but a reasonable response is necessary.
After full discussion, Deacons left the room for the Session to continue the Stated meeting.
- III. M/S/P Approved the Session meeting minutes of April 6, April 23, April 30, May 5 and May 19, 2008.
 - A. M/S/P Accept REDACTED resignation from the Diaconate.
 - B. M/S/P Approved transfer of Daniel Larrison to Faith PCA, Wauchula, FL
 - C. Elders are asked to consider serving in some role for the 2010 General Assembly to be hosted in Nashville.
M/S/P To request that the Covenant Presbyterian Session be part of serving communion at the 2010 General Assembly.
- IV. Old Business
 - A. M/S/P to receive new members:

Rob & Fronda Alley	Ritch Gillespie	Claire Sawyer
Reagan, Hayes	Christopher & Holly Ing	Britt Sellers
Mark & Anna Bright	Wes & Nancy Kennedy	Jason & Melissa Tillman
Onaly, David	Erin Malone	Dave & Doreen Turner
Will & Jaclyn Carney	David & Jane McCracken	Ted & Elizabeth Wade
Van & Cathy East	Parker & Kaylor	Wiley Walker
Frank & Kristy Frazier	Jason Puckett	
Bo & Happy Fulk	Bruce & Vickie Reed	

In an abundance of caution, protected information is REDACTED in submission to Attorney Larry Crain's permanent injunction request granted on 9/24/2018.

IV. Old Business, cont.

- B. Discussion concerning Austin Davis.
M/S/P Diaconate will be fully informed of the facts of the situation. A concise summary of the facts will be provided to elders and deacons. Members with questions about the situation will be referred to a church officer or pastor for information.
M/S/P No change in the security detail for the July 21st worship services.

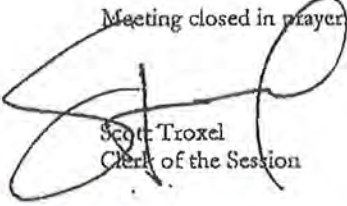
V. New Business

- A. M/S/P to accept the officer candidates as recommended by the Nominating Committee
B. Discussion concerning the monthly newsletter and its associated costs and staffing challenges.
M/S/P that the monthly newsletter will be published two more times. Members need to notify the Church office if they wish to continue to receive the monthly newsletter. In lieu of monthly mailings the newsletter will be accessible from the Covenant web-site.
C. M/S/P to approve of the WIC Bible Study Leaders
D. New Committees
E. M/S/P to approve housing allowances for Pastor Matt Bradley and Director of Music Paul Magyar.
F. M/S/P to form an ad hoc committee chaired by Herb Kneeland to work with the Diaconate to develop a comprehensive, long-term security plan.

VI. Adjournment

Next Stated Meeting—Monday, August 18, 2008

Meeting closed in prayer


Scott Troxel
Clerk of the Session

S. James Bachmann, Jr.
Senior Pastor

**Did Scott Troxel and Federal Judge
John Bryant commit perjury to convict
and jail Austin Davis?**

**Austin Davis provided the DA the
exculpatory Board Minutes but
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"malicious prosecution."**

**THE BOOK OF
CHURCH ORDER
OF THE
PRESBYTERIAN
CHURCH
IN AMERICA**

Sixth Edition

**(Includes all amendments approved up to and including
the 34th General Assembly, in Atlanta, GA, June 2006)**

Published by

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1-800-283-1357**

CHAPTER 9*The Deacon*

9-1. The office of deacon is set forth in the Scriptures as ordinary and perpetual in the Church. The office is one of sympathy and service, after the example of the Lord Jesus; it expresses also the communion of saints, especially in their helping one another in time of need.

9-2. It is the duty of the deacons to minister to those who are in need, to the sick, to the friendless, and to any who may be in distress. It is their duty also to develop the grace of liberality in the members of the church, to devise effective methods of collecting the gifts of the people, and to distribute these gifts among the objects to which they are contributed. They shall have the care of the property of the congregation, both real and personal, and shall keep in proper repair the church edifice and other buildings belonging to the congregation. In matters of special importance affecting the property of the church, they cannot take final action without the approval of the Session and consent of the congregation.

In the discharge of their duties the deacons are under the supervision and authority of the Session. In a church in which it is impossible for any reason to secure deacons, the duties of the office shall devolve upon the ruling elders.

9-3. To the office of deacon, which is spiritual in nature, shall be chosen men of spiritual character, honest repute, exemplary lives, brotherly spirit, warm sympathies, and sound judgment.

9-4. The deacons of a particular church shall be organized as a Board, of which the pastor shall be an advisory member. The Board shall elect a chairman and a secretary from their number and a treasurer to whom shall be entrusted the funds for the current expenses of the church. It shall meet separately at least once a quarter, and whenever requested by the Session. The Board of each church shall determine the number necessary for a quorum.

The Board shall keep a record of its proceedings, and of all funds and their distribution, and shall submit its minutes to the Session regularly, and at other times upon request of the Session.

It is desirable that the Session and the Board of Deacons meet in joint session once a quarter to confer on matters of common interest.

PCA church property decision must be in submission to Chapter 9-2 and Chapter 12-5 c.

Covenant Session Clerk Troxel did not get the consent of the the congregation to write his June 27th rogue "trespass" letter.

12-5. The church Session is charged with maintaining the spiritual government of the church, for which purpose it has power:

- a. To inquire into the knowledge, principles and Christian conduct of the church members under its care; to censure those found delinquent; to see that parents do not neglect to present their children for Baptism; to receive members into the communion of the Church; to remove them for just cause; to grant letters of dismissal to other churches, which when given to parents, shall always include the names of their non-communing, baptized children;
- b. To examine, ordain, and install ruling elders and deacons on their election by the church, and to require these officers to devote themselves to their work; to examine the records of the proceedings of the deacons; to approve and adopt the budget;
- c. To approve actions of special importance affecting church property;
- d. To call congregational meetings when necessary; to establish and control Sunday schools and Bible classes with special reference to the children of the church; to establish and control all special groups in the church such as Men in the Church, Women in the Church and special Bible study groups; to promote world missions; to promote obedience to the Great Commission in its totality at home and abroad; to order collections for pious uses;
- e. To exercise, in accordance with the Directory for Worship, authority over the time and place of the preaching of the Word and the administration of the Sacraments, over all other religious services, over the music in the services, and over the uses to which the church building and associated properties may be put; to take the oversight of the singing in the public worship of God; to ensure that the Word of God is preached only by such men as are sufficiently qualified (*BCO* 4-4, 53-2, 1 Timothy 2:11-12); to assemble the people for worship when there is no minister; to determine the best measures for promoting the spiritual interests of the church and congregation;
- f. To observe and carry out the lawful injunctions of the higher courts; and to appoint representatives to the higher courts, who shall, on their return, make report of their diligence.

12-6. The Session shall hold stated meetings at least quarterly. Moreover, the pastor has power to convene the Session when he may judge it requisite; and he shall always convene it when requested to do so by any two of the ruling elders. When there is no pastor, it may be convened by two ruling elders. The Session shall also convene when directed so to do by the Presbytery.

PCA church property decision must be in submission to Chapter 9-2 and Chapter 12-5 c.

Covenant Session Clerk Troxel did not get the Covenant Session approval to write his June 27th rogue "trespass" letter.

CHAPTER 25*Congregational Meetings*

25-1. The congregation consists of all the communing members of a particular church, and they only are entitled to vote.

25-2. Whenever it may seem for the best interests of the church that a congregational meeting should be held, the Session shall call such meeting and give public notice of at least one week. No business shall be transacted at such meeting except what is stated in the notice. The Session shall always call a congregational meeting when requested in writing to do so:

- a. by one-fourth (1/4) of the communing members of a church of not more than one hundred (100) such members,
- b. by one-fifth (1/5) of the communing members of a church of more than one hundred (100) and not more than three hundred (300) such members,
- c. by one-sixth (1/6) of the communing members of a church of more than three hundred (300) and not more than five hundred (500) such members,
- d. by one-seventh (1/7) of the communing members of a church of more than five hundred (500) members but not more than seven hundred (700) such members,
- e. by one hundred (100) of the communing members of a church of more than seven hundred (700) such members.

Upon such a proper request, if the Session cannot act, fails to act or refuses to act, to call such a congregational meeting within thirty (30) days from the receipt of such a request, then any member or members in good standing may file a complaint in accordance with the provisions of *BCO* 43.

25-3. The quorum of the congregational meeting shall consist of one-fourth (1/4) of the resident communing members, if the church has not more than one hundred (100) such members, and of one-sixth (1/6) of the resident communing members if a church has more than one hundred (100) such members.

January TERM, 2017, CRIMINAL COURT
STATE OF TENNESSEE

VS.

NO. 2017-A-62

WILLIE AUSTIN DAVIS

PROSECUTOR: John Daugherty

CHARGE: Agg. Crim. Tresp.

Witness(es) before the Grand Jury:
Sean Richmond

The above witness(es) appeared; was/were duly sworn by me, the foreperson, and gave testimony before the Grand Jury in the above-styled cause this 24th day of January, 2017.

FILED
JAN 30 2017



A TRUE BILL



A NO TRUE BILL

BY

KT

D.C.

[Signature]
Foreperson
Davidson County Grand Jury

SUBPOENA THE FOLLOWING WITNESSES FOR THE STATE OF TENNESSEE:

COMPLAINT No(s): 2015-1050692

John Daugherty, MPD #173952

Herbert Kneeland, c/o Covenant Presbyterian Church, 33 Burton Hills Blvd., Nashville, TN 37215



INDICTMENT

State of Tennessee, Davidson County

THE GRAND JURORS of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that:

WILLIE AUSTIN DAVIS

on the **15th** day of **November, 2015**, in Davidson County, Tennessee and before the finding of this indictment, did intentionally, knowingly, or recklessly enter or remain on the property of **Covenant Presbyterian Church** knowing that **Willie Austin Davis** did not have the effective consent of **Covenant Presbyterian Church** to do so, and **Willie Austin Davis** did intend, know or was reckless about whether **his** presence would cause fear for the safety of another **and the property remained upon was the campus, property, or facilities of any public or private school**, in violation of Tennessee Code Annotated § 39-14-406, and against the peace and dignity of the State of Tennessee.

A handwritten signature in blue ink, appearing to read "Glenn R. Funk".

GLENN R. FUNK
DISTRICT ATTORNEY GENERAL
TWENTIETH JUDICIAL DISTRICT

**IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION I
Steve Dozier, Judge**

EXHIBIT LIST

DEFENDANT Willie Austin Davis DATE 9-11-17
CASE NO. 2017-A-62 DEFENSE ATTORNEY Pro-se
CHARGE Agg. Criminal Trespass STATE ATTORNEY Chandler Harris
Jury Trial Motion _____ PCR _____
SH _____ PV/CCV _____
COMPLAINT NO. 15-1050692

EXHIBIT NUMBER	WITNESS	DESCRIPTION
1	Scott Troxel	letter from Austin Davis to Covenant 6-25-08
2	↓ ↓	letter to Austin Davis from Scott Troxel 6-27-08
3		Congregation Meeting Minutes 6-9-10
4		Discipline Rules
5		letter from DA Torry Johnson to Defendant 6-15-09
6		letter from Doug Himes - office of legal services to Deft. 2-4-13

No property deed provided to the jury or the Defendant by the DA?

Judge Bryant's "folder" not provided to jury or the Defendant by the DA?

No Board Minutes provided to the jury by DA? Items 3 and 4 were provided by the Defendant.

The Oct 25, 2015 audio recording was not allowed.

No By-Laws or Incorporation Papers provided to the jury or the Defendant by the DA?

No record of any Session Approval or Congregation Consent provided to the jury or the Defendant by the DA?

*all here
9-13-17
L. Tulence*

No video recording of the Nov 15, 2015, arrest was provided to the jury or the Defendant by the DA? (Covenant apparently took a video of the arrest. What happened to the video?)

Grady

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION I

2017 AUG 15 PM 2:23

CRIMINAL COURT CLERK

STATE OF TENNESSEE)

VS.)

WILLIE AUSTIN DAVIS)

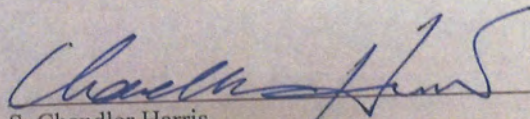
CASE NO: 2017-A-62

DC

MOTION IN LIMINE 1

The Office of the District Attorney General, prosecuting on behalf of the State of Tennessee, moves this Court to instruct defense counsel not to ask any witness about prior bad acts without requesting a jury out hearing pursuant to Rule 608 and 609 of the Tennessee Rules of Evidence.

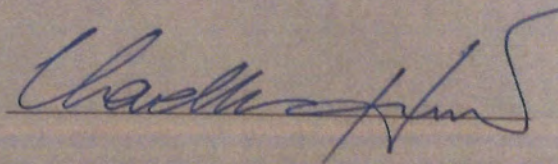
Respectfully submitted,



S. Chandler Harris
Tenn. Sup. Ct. Reg. #32147
Assistant District Attorney General
Washington Square, Suite 500
222 Second Avenue North
Nashville, TN 37201-1649
(615) 862-5500

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been mailed to **Willie Austin Davis Pro Se**, 19 Redbud Drive, Nashville, TN 37215 on this the 15 day of August, 2017.



Grated.

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION I

FILED
2017 AUG 15 PM 2:22
CRIMINAL COURT CLERK

STATE OF TENNESSEE)

VS.)

WILLIE AUSTIN DAVIS)

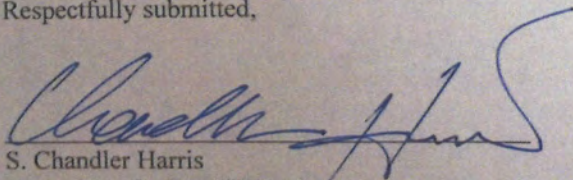
CASE NO: 2017-A-62

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MOTION IN LIMINE 2

The Office of the District Attorney General, prosecuting on behalf of the State of Tennessee, moves this Court to instruct defense counsel not to present any statements of the defendant or ask questions to elicit statements of the defendant from witnesses unless the State has previously placed such statement into evidence. Self-serving declarations of a criminal defendant are not admissible. *Hall v. State*, 552 S.W.2d 417 (Tenn. Cr. App. 1977), *State v. Wiseman*, 643 S.W.2d 354 (Tenn. Cr. App. 1982), *State v. Turnmire*, 762 S.W.2d 893 (Tenn. Cr. App. 1988).

Respectfully submitted,



S. Chandler Harris
Tenn. Sup. Ct. Reg. #32147
Assistant District Attorney General
Washington Square, Suite 500
222 Second Avenue North
Nashville, TN 37201-1649
(615) 862-5500

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION I

FILED

2017 AUG 15 PM 2: 22

CRIMINAL COURT CLERK

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STATE OF TENNESSEE

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VS.

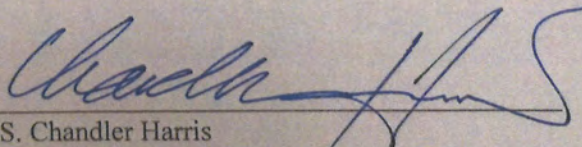
CASE NO: 2017-A-62

WILLIE AUSTIN DAVIS

MOTION IN LIMINE 5

The Office of the District Attorney General, prosecuting on behalf of the State of Tennessee, respectfully requests this Court to order the defendant from referencing counsel for the State of Tennessee as anything other than "Mister," "Miss," or "General." In previous court dates on this matter, the defendant referred to counsel for the State several times as "Bull Connor"¹ The State submits such references are inappropriate, and would serve to distract the jury from its role as the trier of fact in this matter.

Respectfully submitted,



S. Chandler Harris
Tenn. Sup. Ct. Reg. #32147
Assistant District Attorney General
Washington Square, Suite 500
222 Second Avenue North
Nashville, TN 37201-1649
(615) 862-5500

¹ This was an apparent reference to 1960s-era Birmingham Police Commissioner Theophilus Eugene Connor.

4-20-17

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION I

STATE OF TENNESSEE)

VS.)

WILLIE AUSTIN DAVIS)

CASE NO: 2017-A-62

FILED
2017 MAR 27 PM 3:02
CRIMINAL COURT CLERK
DC

**STATE'S REQUEST FOR COURT TO RULE ON DEFENDANT'S USE OF PERSONAL
RECORDING DEVICE DURING COURT**

Comes now, the Office of the District Attorney General, to respectfully ask this court to determine whether the defendant is entitled to personally record court proceedings outside the official court record. The State became aware that during the defendant's most recent hearing in court, the defendant recorded court proceedings and possibly other proceedings on a personal recording device, and subsequently uploaded those proceedings to the internet via Soundcloud.com¹ The State is not aware of any Rule 30 request made to the Court by the defendant prior to his hearing on March 10, 2017 that would allow such behavior to occur. As such, the State moves this Honorable Court to rule whether the defendant is allowed to continue this practice.²

¹ Link may be found at: <https://soundcloud.com/valglenn18/will-president-trump-ag-sessions-investigate-child-sex-abuse-cover-up-cases-court-hearing-31017>

² Copy of recording attached to this filing.

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION I

FILED
2017 AUG 15 PM 2:22
CRIMINAL COURT CLERK

STATE OF TENNESSEE)

VS.)

WILLIE AUSTIN DAVIS)

CASE NO: 2017-A-62

W DC

REQUEST FOR HEARING TO CONSIDER 404(b) EVIDENCE

The Office of the District Attorney General, prosecuting on behalf of the State of Tennessee, pursuant to Tennessee Rule of Evidence 404(b), requests that this Court hold a hearing outside the jury's presence to determine the admissibility of the following evidence for the purpose of proving notice and to rebut any claim of mistake or accident should the defense make such assertions. *State v. McCary*, 922 S.W.2d 511 (Tenn. 1996):

18 Hr 2008 The defendant visited Covenant Presbyterian Church on October 25, 2015. On that day, he encountered Metro Police officers who were called to scene because the defendant has been banned from the property since 2008. The defendant was sent a letter in 2008 informing him he was banned from the property. The defendant was shown a copy of the letter on October 25, 2015 by Officer James Smith. The defendant acknowledged receipt of the letter.

The State submits that evidence of the October 25 encounter is relevant and admissible to establish the defendant was on notice he was banned from the property before he was arrested there on November 15, 2015, and further serves to rebut any claim of mistake the defendant might make regarding his November 15 visit to Covenant Presbyterian Church. The State submits there is clear and convincing evidence this encounter occurred, and further that its probative value is outweighed by the danger of unfair prejudice. Tenn. R. Evid. 404(b).

The Oct 25, 2015 audio recording was not allowed.

Seating Plan

Date: 09/11/17
Time: 09:31 AM

Judge: JUDGE STEVE DOZIER
Description: ST VS DAVIS (DOZIER)
Room: DIV1
Event: 2017-A-62

Event Date: 09/11/2017

Prosecutor/Plaintiff Attorney: Chandler Harris & Jenny Charles
Defense Attorney: Pro Se

12 HILL SHANNON RHODES	11 WISER THOMAS LEE	10 RIVERA REYNALDO	9 GENTRY ELLEN GAIL Paul Fowler Gopet Robert Lee Frame	8 DICKER ELLEN MARY	7 SPANO ELIZABETH ANNE
6 FAILLA ANTHONY SCOTT	5 MCDONALD ANDREW DEVANEY	4 FLEMING CHANDALE LE JUAN	3 ROWE JR ALBERT A	2 HICKSON REGINA CERITA	1 BARTLETT KURT WALTER KLisa Thiele marie

Alternates:
Kristi VandeWalker

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
 DIVISION I
 Steve Dozier, Judge

EXHIBIT LIST

DEFENDANT Willie Austin Davis DATE 9-11-17
 CASE NO. 2017-0-62 DEFENSE ATTORNEY Pro Se
 CHARGE Agg. Criminal Trespass STATE ATTORNEY Chandler Harris
 COMPLAINT NO. 15-1050692 Jury Trial _____ Motion PCR _____
 SH _____ PV/CCV _____ State's motion to Declare Witness Unavailable

EXHIBIT NUMBER	WITNESS	DESCRIPTION
<u>1</u>		<u>Letter from St. Thomas Regarding Mr. Kneeland</u> <u>all here</u> <u>N. Murphy</u> <u>9-12-17</u>

Where is this letter? It was not in the file at the courthouse?

Gov. Bill Haslam, Speaker Beth Harwell, Mayor Megan Barry, WSMV Anchor Demetria Kalodimos, and others were not called to testify under sworn oath by the DA's Prosecution Team to support DA statements made in front of a jury to gaslight and further criminalize Defendant Austin Davis.

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION I
Steve Dozier, Judge

WITNESSES

Defendant: Willie Austin Davis Date: 9-11-17
Case No.: 2017-11-62 Defense Attorney: Pro-Se
Charge: agg. Criminal Trespass State Attorney: Chandler Harris
Jury Trial Motion PCR SH PV/CCV

STATE		DEFENSE	
1.	<u>Scott Troxel</u>	1.	<u>Kathryn Davis</u>
2.	<u>John Bryant</u>	2.	<u>Daisy Davis</u>
3.	<u>off. James Smith</u>	3.	
4.	<u>off. John Daugherty</u>	4.	
5.		5.	
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18.		18.	
19.		19.	
20.		20.	

STATE OF TENNESSEE

To the Sheriff of Davidson County - Greeting:

We command you to summon

Scott Troxel
2912 Oakland ave
Nash, TN 37212

Ofc. James Smith # 151130

personally to appear before the Judge of our Criminal Court, Divisor 1, for the County of Davidson,
9-11-17, at 9 A.M., at the Courthouse in the City of Nashville,
then and there to testify, and the truth to say in behalf of the State in the case of the State
vs. Willie Austin Davis

and this you shall in no wise omit, under the penalty prescribed by law.

Witness, Howard Gentry, Clerk of said Court, at office, the second Monday in April
A.D. 20 17, and the two hundred and 40th year of the Independence
of the United States.

Howard Gentry, Clerk.

By Nicole Murphy, D.C.