

IN THE CIRCUIT COURT OF TENNESSEE  
FOR THE TWENTIETH JUDICIAL DISTRICT  
AT NASHVILLE, DAVIDSON COUNTY  
DIVISION III

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STATE OF TENNESSEE

VS.

Case No. 2017-A-62

WILLIE AUSTIN DAVIS

Defendant.

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**DEFENDANT’S MOTION FOR A NEW TRIAL**

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Comes now the defendant, Willie Austin Davis, by and through counsel of record, Parke S. Morris and Phillip N. Harvey, and, pursuant to Rule 33 of the Tennessee Rules of Criminal Procedure, respectfully moves this Honorable Court for a new trial. In support of his motion, Mr. Davis submits the following:

**A. MR. DAVIS’S INDICTMENT SHOULD HAVE BEEN QUASHED AS DEFECTIVE WHEN ONE OF THE GRAND JURORS WAS BOTH A LAW ENFORCEMENT OFFICER OF THE COUNTY AND, ALTHOUGH NOT CALLED AT TRIAL, A POTENTIAL FACT WITNESS IN THE CASE**

1. The Court erred in failing to quash Mr. Davis’s indictment for defective indictment when Grand Juror Solomon Holley was one of the twelve grand jurors to Mr. Davis’s indictment not only while also being then employed as a law enforcement officer of Davidson County, but also while being the private security guard involved in the arrest of Mr. Davis that gave rise to these allegations, and therefore also a fact witness in this case even though not called at trial.

2. All persons accused of crimes in Tennessee have a right to a “legally constituted and unbiased” grand jury. *Bracy v. United States*, 435 U.S. 1301, 1302 (1978) (quoting *Costello*

*v. United States*, 350 U.S. 359, 363 (1956)); *see also* Tenn. R. Crim. P. 6; *State v. Nelson*, 603 S.W.2d 158, 161 n.1 (Tenn. Crim. App. 1980) (quoting *Carter v. Jury Comm'n of Greene Cty.*, 396 U.S. 320, 330 (1970) (noting that, although the grand jury clause of the U.S. Constitution has never been incorporated against the states, “the law is equally clear that ‘[o]nce the State chooses to provide grand and petit juries, whether or not constitutionally required to do so (footnote omitted), it must hew to federal constitutional criteria . . .’”).

3. In Tennessee, this means that the accused should enjoy a grand jury “reasonably free from prejudice.” *Rippy v. State*, 550 S.W.2d. 636, 642 (Tenn. 1977).

4. A Grand Jury “reasonably free from prejudice” does not mean that the grand jurors must be free from any opinions about the case. 550 S.W.2d. at 642 (holding that, absent a statutory prohibition or reprehensible conduct such as bribery, “there is no legal objection to a person with bias or prejudice serving as a member of a grand jury”); *see also State v. Felts*, 418 S.W.2d 772 (Tenn. 1967).

5. A Grand Jury “reasonably free from prejudice” does not mean that the grand jurors are prohibited from having any and all connection to the parties or entities at issue in the case. *Stae v. Felts*, 418 S.W.2d 772, 773-74 (Tenn. 1967) (holding that the trial court erred in finding that an indictment should be quashed where a grand juror was a school teacher in the school system that had suffered property loss in the underlying incident for which the defendant was charged with larceny) .

6. A Grand Jury “reasonably free from prejudice” does not mean that the grand jurors are prohibited from having any and all other official contact with the case. *State v. Chairs*, 68 Tenn. 196, 196-97, 1877 WL 4853 (Tenn. 1877) (holding that it was permissible for a

magistrate who presided at the preliminary hearing to also sit as a grand juror during presentment).

7. In Tennessee, however, “reasonably free from prejudice” does mean that active or current law enforcement officers should *not* serve as grand jurors. As observed by the Supreme Court in *Rippy v. State*:

We, therefore, hold that in the absence of a statutory prohibition, express malice, bribery or other equally reprehensible conduct, there is no legal objection to a person with bias or prejudice serving as a member of a grand jury. **The interest and appearance of justice, however, demand that every reasonable effort be made to insure that grand jurors are reasonably free from prejudice. For example, active or career police officers tend to have an inherent prejudice that should preclude their service.** And so with persons known to be inherently opposed to the enforcement of the criminal laws of the state.

550 S.W.2d. at 642 (emphasis added).

8. If a grand juror in Tennessee should not be an active or current law enforcement officer, perforce he or she should not be an active or current law enforcement officer who was also the private security guard who confronted the defendant in the case at hand, and therefore a fact witness even if not called to testify.

9. **Exhibit 1** is the January-March 2017 Grand Jury Report, which contains the identification and signatures of each of the Grand Jurors who issued the Indictment for Defendant Austin Davis. Grand Juror Solomon Holley is listed as one of the twelve Grand Jurors in January 2017. (A Lexis Nexis Comprehensive People Search reveals that there is only one “Solomon Holley” in Davidson County, Tennessee.) Mr. Davis’s superseding indictment was returned in January 2017 (see **Exhibit 5**).

10. **Exhibit 2** is a Facebook account photograph (posted October 25, 2018) of Solomon Holley in a Davidson County Sheriff’s Department uniform. **Exhibit 3** is a Facebook

photo (posted October 25, 2018) of Solomon Holley brandishing an assault rifle. **Exhibit 4** is a disc with two videos showing Officer Solomon Holley in his private security guard confronting defendant Austin Davis at Covenant Presbyterian Church, aka Cumberland Presbyterian Church, on the day that Austin Davis was arrested.

11. Grand Juror Solomon Holley was therefore not only an eyewitness who directly confronted and detained the Defendant at the time of the incident. He was also, at the time of the indictment, still a law enforcement officer with the Davidson County Sheriff's Office.

12. Solomon Holley's presence on the Grand Jury in this case has undermined "the interest and appearance of justice." 550 S.W.2d. at 642. Even if mere happenstance, the presence of a Grand Juror sitting in judgment on the Defendant's indictment while also being a law-enforcement witnesses with personal knowledge of exactly what occurred on the date in question, even if not called at trial, does not further the appearance of justice. Regardless of whether this was pure coincidence or a blatant attempt to prejudice the defendant with excessively biased grand jurors, the interest in ensuring that grand jurors are "reasonably free from prejudice" mandates that this Court quash the underlying indictment and send a stern message that active law enforcement personnel should not participate in this part of the judicial process.

13. The Defendant's indictment should therefore be placed back on the trial docket and the indictment quashed.

**B. MR. DAVIS SHOULD, IN THE ALTERNATIVE, BE GIVEN A NEW TRIAL FOR THE FOLLOWING REASONS**

14. The Court erred in not rendering a judgment of acquittal when the evidence was insufficient to show that Mr. Davis had notice from an authorized agent of the church that he was barred from returning to the premises.

15. The Court erred in not rendering a judgment of acquittal when the evidence was insufficient to show that Mr. Davis intended, knew, or was reckless about whether his presence would cause fear for the safety of another.

16. Lastly, Mr. Davis would submit by the attached declaration (**Exhibit 6**) that the trial Court also erred in not disclosing before trial certain relations that may have provided a basis for a motion under Rule 10B for the disqualification of Judge Steve Dozier. Some factual basis for this is suggested in Footnote 1 of the Court's order recusing itself (**Exhibit 7**), after trial, on October 23, 2017. Counsel would therefore seek to preserve this issue for appeal by allowing Mr. Davis to submit the error on the basis of his declaration.

Respectfully submitted,

BY:

\_\_\_\_\_  
PARKE S. MORRIS, ESQ. #018145  
PHILLIP N. HARVEY, ESQ. #034273  
*Attorney for the Plaintiff*  
25 Dr. M. L. King Jr. Avenue,  
Suite 208  
Memphis, TN 38103  
Phone: (901) 244-5007  
Fax: (877) 335-3424  
www.parkemorris.com  
[parkemorris@gmail.com](mailto:parkemorris@gmail.com)

**CERTIFICATE OF SERVICE**

I do hereby certify that I have served a true and exact copy of the foregoing Motion for a New Trial upon Assistant District Attorney General Chandler Harris by email delivery with Mr. Harris's consent this the 10<sup>th</sup> day of July, 2019.

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Phillip N. Harvey

IN THE CIRCUIT COURT OF TENNESSEE  
FOR THE TWENTIETH JUDICIAL DISTRICT  
AT NASHVILLE, DAVIDSON COUNTY  
DIVISION III

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STATE OF TENNESSEE

VS.

Case No. 2017-A-62

WILLIE AUSTIN DAVIS

Defendant.

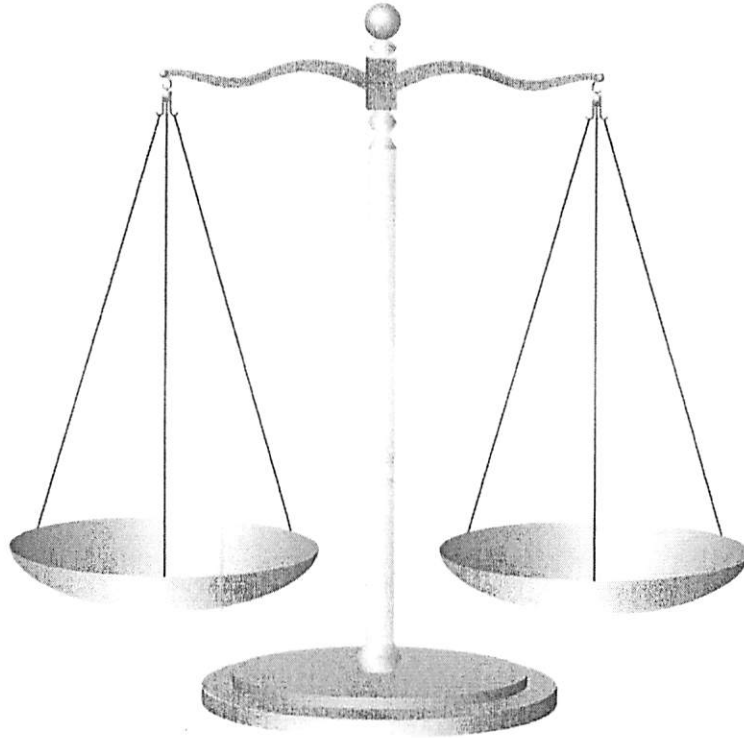
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**EXHIBIT 1 - DEFENDANT'S MOTION FOR A NEW TRIAL**

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Attached is the Grand Jury Final Report for January to March 2017.

# Grand Jury Final Report



The Honorable Judge Cheryl Blackburn  
Criminal Court Division III  
Davidson County, Tennessee

January – March 2017  
Stan Fossick, Foreperson



## Introduction

We, the members of the Davidson County Grand Jury for the January – March 2017 term, as commissioned by Judge Cheryl Blackburn, submit this report in summary of our service and experience.

We begin by expressing our gratitude for the dual privileges of being given both a broad education in the criminal justice system and the opportunity to perform our civic duty for Davidson County in a way that not many citizens are offered. We are confident that this experience has significantly enhanced our ability to inform others and to support the men and women in that system who act on behalf of all the residents of the County.

## Instruction

Before hearing cases, we were addressed by the following:

- District Attorney General Glenn Funk regarding the overall crime statistics in the county and the purpose of the Grand Jury: “a shield for the citizen, not a sword for the State”
- Assistant District Attorney Rodney Faulk regarding the operation of the Grand Jury
- Detective David Slessinger regarding Sex Crimes
- Sergeant Gene Donegan regarding the Drug Task Force
- Sergeant John Boese regarding the Gangs Unit
- Detective John Jackson regarding Domestic Violence
- Officer Brad Nave regarding DUI
- Captain Randy Hickerson regarding Criminal Warrants
- Detective John Grubbs regarding Youth Services

During our term, ADAs Rodney Faulk and Michel-Claire Bottoms were always available and provided us with helpful explanations of the law.

Near the end of the term, Metro Nashville Police Chief Steve Anderson joined us for an extremely informative session on the organization of the MNP, as well as the density of calls and various types of incidents across the Metro area. In light of recent concerns about racial disparities, Chief Anderson also presented a chart of

10 crimes with the corresponding percentages of African-American victims and suspects (as described by victims and witnesses), which was quite enlightening. He also responded to questions about the requested budget for 2017-2018.

We wish to express our appreciation for the valuable information each of these individuals presented.

## Cases

In accordance with the Tennessee Rules of Criminal Procedures, we heard and deliberated over a total of 866 cases, including presentments:

851 were returned as True Bills

13 were returned as No True Bills

2 Presentments were made, both of which had no action taken

## Site Visits

We visited the Police Training Academy (training overview, as well as Aircraft and K-9 groups), Riverbend Maximum Security Institution, Judge Seth Norman's Drug Center, and the Davidson County Sheriff's facilities; and we attended the MNPD CompStat meeting, where we met our Precinct Commanders and Community Coordinators.

## Recognition

In addition to the presenters listed above, we would like to take this opportunity to recognize five people who have had a special impact on our experience as the Grand Jury:

- Mr. Stan Fossick, our Foreperson, was a patient, wise, and thoughtful guide to our group of inexperienced jurors. In addition to his many years of serving in this capacity, Stan brought a low-key style that put us all at ease while keeping our sessions on track. His generosity in providing refreshments every day at his own expense, as well as treating us to lunch at Monell's, was matched by the friendliness he offered to each member, whether a regular or an alternate. Stan is, quite simply, a treasure to Davidson County; and it was an honor and a pleasure to serve with him.

- Sergeant Sean Richmond took over from Sgt. Patrick Baird as liaison to the Grand Jury very early in our term, and he excelled in his role from his first presentation. He was always well prepared with organized, detailed reports, whether delivering them himself or delegating them to another officer. His ability to help us understand the issues in each case was complemented by his good humor and easy-going style. Sgt. Richmond is a testimony to the high caliber of those in the Metro Police force.
- Officer Chad Turnbow ably presented a number of cases in Sgt. Richmond's absence. Like Sgt. Richmond, he was gracious in answering our questions.
- Ms. April Lee, Judge Blackburn's Judicial Assistant, faithfully handled attendance and the securing of alternate jurors, as well as facilitating our checks and transportation.
- Ms. Lori Hooberry, Legal Secretary to the Grand Jury Division, was always very welcoming and did a fine job of preparing our case lists.

We offer our heartfelt thanks to each of these persons for making our experience on the Grand Jury such a positive one.

## Concerns and Recommendations

We are concerned with the high number of domestic violence crimes and compliment the MNPd for establishing the LAPP program, Jean Crow Advocacy Center, and other efforts to prevent and address these serious issues.

We are also concerned about the high number of crimes involving guns and the apparent ease with which young men, in particular, acquire them.

We share the concern of MNPd about the proliferation of drugs and encourage all appropriate measures to address this major problem.

We recommend that money seized from drug dealers by MNPd be used to fund the documented needs of the Metro Police Department.

While we recognize that the Court does not have jurisdiction over financial matters, we want to express our support for the budgetary requests of Chief Anderson. Given the rapid growth of Davidson County and the desire of its citizens for transparency, we believe it is important to fund the staffing and projects he has outlined.

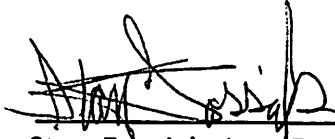
Having been presented with a large number of drug cases, we believe providers should be required to consult the Controlled Substance Monitoring Database before prescribing a controlled medication, and pharmacists before filling these prescriptions. While this would not prevent those who use different names, etc., from receiving controlled medications, prescribers and pharmacists should be held accountable for adhering to the requirement and fined heavily if they do not document that they have done so. In the same vein, we recommend a limit to the number of pills emergency room staff can prescribe.

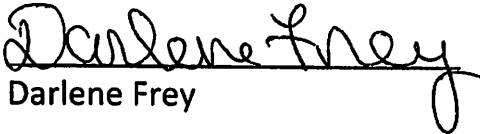
We heard multiple cases in which the defendant had more than one DUI offense, sometimes with prior charges still pending. Given the danger these offenders represent to themselves and others, we recommend a more rapid disposition of these cases and possibly stricter penalties.

## Conclusion

Each of us is proud to have served on the Grand Jury. We now have a broader and deeper understanding of the criminal justice system, as well as a deeper appreciation for those individuals who serve our community, and for that we are grateful.

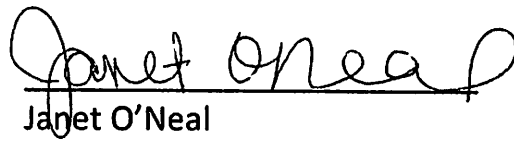
Respectfully submitted on March 30, 2017, by the Davidson County Grand Jury,  
January – March 2017 term.

  
Stan Fossick, Jury Foreperson

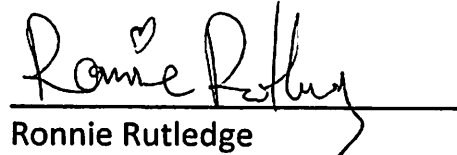
  
Darlene Frey

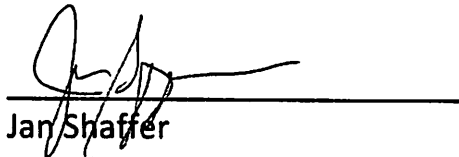
  
Janelle Garrett

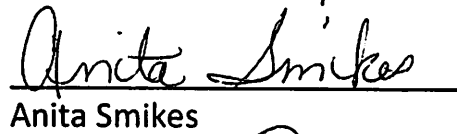
  
Solomon Holley

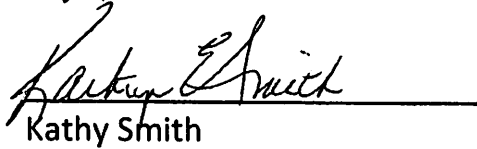
  
Janet O'Neal

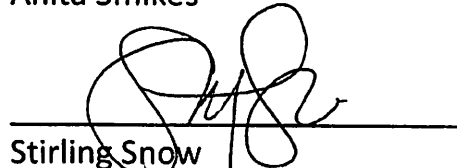
  
Eloise Pillow

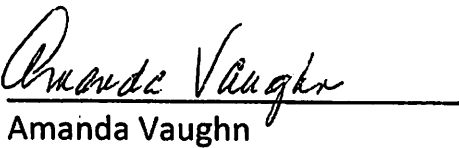
  
Ronnie Rutledge

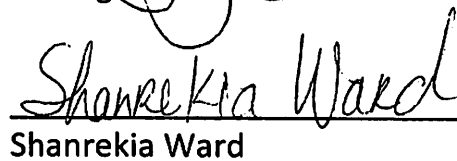
  
Jan Shaffer

  
Anita Smikes

  
Kathy Smith

  
Stirling Snow

  
Amanda Vaughn

  
Shanrekia Ward

IN THE CIRCUIT COURT OF TENNESSEE  
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STATE OF TENNESSEE

VS.

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WILLIE AUSTIN DAVIS

Defendant.

---

**EXHIBIT 2 - DEFENDANT'S MOTION FOR A NEW TRIAL**

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Attached is a Facebook photo of Solomon Holley in a Davidson County Sheriff's  
Department uniform.

Solomon's Featured Photos



Solomon Holley III

October 25, 2018 ·



Share

Like

Comment

Share

Options

Send in Messenger

IN THE CIRCUIT COURT OF TENNESSEE  
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STATE OF TENNESSEE

VS.

Case No. 2017-A-62

WILLIE AUSTIN DAVIS

Defendant.

---

**EXHIBIT 2 - DEFENDANT'S MOTION FOR A NEW TRIAL**

---

Attached is a Facebook photo of Solomon Holley holding an assault rifle.



Solomon's Featured Photos



**Solomon Holley III**

October 25, 2018 ·



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Share

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Like

Comment

Share

Options

Send in Messenger

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WILLIE AUSTIN DAVIS

Defendant.

---

**EXHIBIT 4 - DEFENDANT'S MOTION FOR A NEW TRIAL**

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Below are links to the videos which the Defense will seek to have made exhibits by compact disc to the motion hearing on July 12, 2019:

Video 1: Solomon Holley confronting Mr. Davis at Covenant Presbyterian Church,  
[https://www.youtube.com/watch?v=C4\\_hIBo2\\_EA](https://www.youtube.com/watch?v=C4_hIBo2_EA).

Video 2: Solomon Holley present while police officers detain Mr. Davis at Covenant Presbyterian Church, <https://www.youtube.com/watch?v=QhHKXVQqTJE>.

IN THE CIRCUIT COURT OF TENNESSEE  
FOR THE TWENTIETH JUDICIAL DISTRICT  
AT NASHVILLE, DAVIDSON COUNTY  
DIVISION III

---

STATE OF TENNESSEE

VS.

Case No. 2017-A-62

WILLIE AUSTIN DAVIS

Defendant.

---

**EXHIBIT 5 - DEFENDANT'S MOTION FOR A NEW TRIAL**

---

Attached are photos of Mr. Davis's January 2017 indictment.

January TERM, 20 17, 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, 20 17.

**FILED**  
JAN 30 2017

KT



**A TRUE BILL**



**A NO TRUE BILL**

BY

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, in violation of Tennessee Code Annotated § 39-14-406, and against the peace and dignity of the State of Tennessee.

GLENN R. FUNK  
DISTRICT ATTORNEY GENERAL  
TWENTIETH JUDICIAL DISTRICT

IN THE CIRCUIT COURT OF TENNESSEE  
FOR THE TWENTIETH JUDICIAL DISTRICT  
AT NASHVILLE, DAVIDSON COUNTY  
DIVISION III

---

STATE OF TENNESSEE

VS.

Case No. 2017-A-62

WILLIE AUSTIN DAVIS

Defendant.

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**EXHIBIT 6 - DEFENDANT'S MOTION FOR A NEW TRIAL**

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Attached is Mr. Davis's declaration as to issue of the trial Court's disqualification.

IN THE CIRCUIT COURT OF TENNESSEE  
FOR THE TWENTIETH JUDICIAL DISTRICT  
AT NASHVILLE, DAVIDSON COUNTY  
DIVISION III

---

STATE OF TENNESSEE

VS.

Case No. 2017-A-62

WILLIE AUSTIN DAVIS, JR.

Defendant.

---

**DECLARATION OF WILLIE AUSTIN DAVIS, JR.**

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1. My name is Willie Austin Davis, Jr., and I was the defendant at trial in this matter.
2. I believe that Judge Steve Dozier failed to disclose family, donor and friend relationships that should have been brought to light before my case went to trial.
3. The preamble of the Tennessee Code of Judicial Conduct says: "Judges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity and competence."
4. Rule 2.4 B of the Tennessee Code of Judicial Conduct says: "A judge shall not permit family, social, political, financial or other interests or relationships to influence the judges judicial conduct or judgment."
5. Rule 2.11 of the Tennessee Code of Judicial Conduct says: "A judge shall disqualify himself or herself in any proceeding in which the Judge's impartiality might reasonably be questioned, including but not limited to the following circumstances: 1) The judge has a personal bias or prejudice concerning a party... 2) The judge knows that the judge, the judge's spouse or domestic partner, or a person within a third degree relationship to either of them, or the spouse or domestic partner of such a person is: a) a party to the proceeding... 3) The judge knows that he or she, individually or as a fiduciary, or the judge's spouse, domestic partner, parent or child, or any member of the judge's family

residing in the judge's household, has an economic interest in the subject matter in controversy or is a party to the proceeding... 4) The judge knows or learns by a timely motion that a party, a party's lawyer, of the law firm of a party's lawyer has made contributions or given support to the judge's campaign that the judge's impartiality might reasonably be questioned."

6. Rule 2.15 A of the Tennessee Code of Judicial Conduct says: "A judge having knowledge that another judge has committed a violation of this Code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority."
7. Section 11 of Article VI of the Tennessee Constitution says: "No judge of the Supreme or Inferior Courts shall preside on the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by affinity of consanguinity, within such degrees as may be prescribed by law, or in which he may have been of counsel, or in which he may have presided in any Inferior Court, **except by consent of all the parties.**"
8. In this case, I learned after trial that: a). Judge Dozier's uncle and aunt, Don and Chris Dozier, were members of Covenant Presbyterian Church. Don and Chris Dozier departed Covenant Presbyterian Church after my arrest in Nov 2015 to follow and support fired ex-Covenant Pastor Jim Bachmann as founding charter members in a new church start-up called Westminster Chapel Church, which is now called Stephens Valley Church. Stephens Valley Church presently meets at Julia Green Public School where Austin Davis and his family are banned from a tax-payer owned public park and elementary school property. b.) Judge Dozier's long-time friend and campaign sponsor was Covenant Member and Covenant Attorney Worrick Robinson, a long-time friend of ex-Judge Casey Moreland, who is now serving time in Federal Prison for public corruption. c.) Judge Dozier's father was Major Tom Dozier, the longest serving police officer in the history of the city of Nashville. The Nashville Police Department's Firearms facility located on the grounds of the Nashville Police Training Academy is named for Major Tom Dozier. Judge Dozier's blood-kin uncle, Don Dozier, was also a former Nashville Police officer. d). Judge Dozier's possible friendships with dozens of Covenant Presbyterian Church members was not disclosed until the recusal order after the trial, sentencing and jailing of



Austin Davis. e). Judge Dozier's former Woodmont Baptist Church membership and friendship with last-minute surprise prosecution witness, Federal Judge John Bryant, was not disclosed until cross-examination was underway during the trial.

9. If I had known this before trial, I would have not given my consent for Judge Dozier to be my pre-trial and trial judge making so many significant decisions affecting my freedom and liberty. During pre-trial hearings I expressed numerous concerns about Judge Casey Moreland, Covenant Attorney Worrick Robinson, and the integrity of the judicial process (which included the grand jury process), but Judge Dozier did not disclose, recuse and apparently took no action regarding my concerns.
10. During the pre-trial, trial, and sentencing hearings, Judge Dozier and the DA Prosecution Team appeared in agreement that my truthful allegations about a child-molester cover-up was a "myth" or "conspiracy" without any merit. The DA Prosecution Team requested a ban on my internet use to restrict my free speech even though truthful information was provided to the DA Prosecution Team during discovery about Gov. Mike Huckabee and Roy Moore's co-author, John Perry, a protected child-molester. During the sentencing hearing, Judge Dozier and the DA Prosecution Team were made aware of a \$3 million "defamation-invasion of privacy" lawsuit filed against me, and the DA Prosecution Team cross-examined my wife, Catherine Davis, about the lawsuit. Judge Dozier said several times during the sentencing hearing that we need to put the John Perry-Covenant cover-up behind us and the Police, DA, Governor Haslam, and the FBI had looked into the issue and nothing could be done. For the record, the FBI was not informed about John Perry's violation of the White Slave Traffic Act (Mann Act) during my two previous visits to the FBI years earlier. After my trial and sentencing in this criminal case, and after I obtained a copy of the sworn deposition of child sex abuse therapist, Caroline Post Cone, I reviewed the information with Attorney Jim Todd and several other attorneys to learn that a child taken across state lines and sexually abused is a violation of Federal Law with NO statute of limitations. On June 25, 2019, I provided Ms. Cone's sworn testimony and other information about the Federal Mann Act violation to U.S. Attorney Cecil Van Devender and others within the Court. On July 6, 2019, the FBI arrested Billionaire Jeffrey Epstein on a similar "Mann Act" Federal sex-traffic charge involving a minor.

I swear under penalty of perjury that the foregoing is true and correct.

Willie Austin Davis Jr.

Signature

July 10, 2019

Date

IN THE CIRCUIT COURT OF TENNESSEE  
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STATE OF TENNESSEE

VS.

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WILLIE AUSTIN DAVIS

Defendant.

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**EXHIBIT 7 - DEFENDANT'S MOTION FOR A NEW TRIAL**

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Attached is the trial Court's October 23, 2017, Order recusing itself.

New Trial - Mistrial  
Requested During 18 Days  
In Jail

See Sentencing  
Hearing Transcript  
After This order

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE  
AT NASHVILLE  
DIVISION I

FILED  
10-23-17 nm  
Date DC

STATE OF TENNESSEE )  
)  
)  
V. )  
)  
WILLIE AUSTIN DAVIS, )  
DEFENDANT )

CASE NO. 2017-A-62

Rigged - No Recusal

ORDER

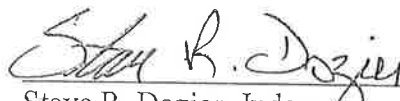
The above defendant chose to represent himself, *pro se*, from the time of his arraignment through his sentencing hearing. On September 12, 2017, a Davidson County jury found the Defendant guilty of one (1) count of aggravated criminal trespass. Subsequently, on September 28, 2017, after a sentencing hearing, the Court ordered the Defendant to serve eleven (11) months, twenty-nine (29) days on supervised probation with one of the conditions being no communication with various listed individuals involved in the case, including any current Covenant Presbyterian Church (CPC) members. Prior to court starting at 9:00 A.M. on October 20, 2017, probation officer, Donna Cherry, notified the Court of mass emails allegedly being sent by the Defendant to CPC members and other specifically listed individuals. The emails specifically contained reference to individuals involved in the above case and information about the Defendant's continuing decade long obsession with CPC. According to Ms. Cherry, the assistant district attorney who prosecuted the case against the Defendant provided this information to the probation office. The Court requested the probation officer to obtain specific information from the district attorney's office about who was listed in the mass emails prior to issuing a probation violation warrant against the Defendant. <sup>1</sup>

<sup>1</sup> Part of the mass email contained information concerning the Court and photographs of the Court. The Court has not thoroughly reviewed the new emails but is aware that, apparently, the Defendant claims some conflict of interest

## CONCLUSION

Based on the information set out in this order, the Court, hereby, **recuses** itself from further legal proceedings in this case in order to assure the Defendant he will continue to receive fair proceedings and rulings. Therefore, the above case is transferred to Judge Seth Norman who is the current senior judge for purposes of reassignment.<sup>2</sup>

Entered this 23<sup>rd</sup> day of October, 2017.

  
Steve R. Dozier, Judge  
Criminal Court, Division I

cc: Chandler Harris,  
Assistant District Attorney General;

Willie Austin Davis, # 540950  
Hill Detention Center  
506 2nd Ave N, Nashville, TN 37201

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based on the Court's uncle, at some point, being a member of CPC. The Defendant has not filed a motion to recuse, but the Court considers the Defendant's allegations as such. The Defendant's premise toward the Court is based upon inaccurate information. At or before the trial, the Court had no information regarding the church membership of an uncle. If it analyzed the Defendant's current mailing, the Court may know dozens of former or current members of CPC. However, this information would have no bearing on this case or be determinative on whether the Defendant could or did receive a fair trial and/or sentence.

<sup>2</sup> The Court is aware that the Defendant has been arrested on a probation violation signed by Judge Cheryl Blackburn on October 20, 2017, after the Court had left town and was unavailable. Since the Defendant is **incarcerated**, the Court has requested a transcript be prepared from the sentencing hearing to facilitate an expedient hearing by the new court. The newly assigned court can determine whether the Defendant still desires to represent himself.