


The Metro School Board and Julia Green Public School continue to protect Pastor Jim Bachmann and a Mann Act Federal crime cover-up connected to Presidential Politics and the Ukraine.



Stephens Valley Church



The Honorable Andy D. Bennett – Middle Tennessee Appellate Court



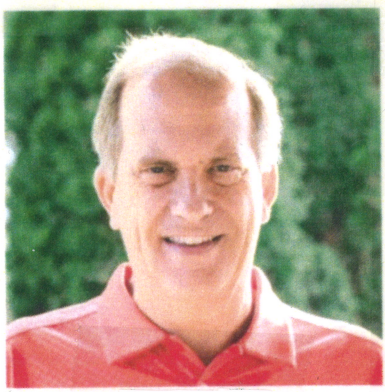
Welcome to Stephens Valley Church

Join us on Sunday mornings at our temporary location
Julia Green School (3500 Hobbs Road, Nashville)

LEARN MORE ABOUT US

See Opinion – Page 4
“I believe Mr. Davis did not receive an impartial trial... I firmly believe the tainted orders by the undeniable violation of Rule 10B injure the judicial process if left uncorrected.” The Honorable Andy D. Bennett - Sept 6, 2019 – 1 of 4 related cases ruled on by Judge Kelvin Jones.

BANNED
 The Davis family has been banned from Julia Green Public School and Park for almost three years. Is child-molester, John Perry, banned from Julia Green Public School and Park?



Heinous sin?



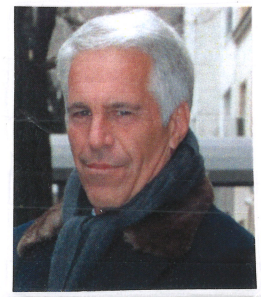
Heinous sin



John Perry
Violated Federal Mann Act - Protected

WELCOME FROM PASTOR JIM

Welcome to our website! I am so glad that you are interested in the ministry of Stephens Valley Church. I trust you will find the website easy to navigate and fully informative. Don't hesitate to contact us if we can be of further assistance. And, please know how delighted we would be for you to visit and worship with us in the near future!



Jeffrey Epstein
Violated Federal Mann Act - Arrested

IN THE EIGHTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

2018 FEB -7 AM 9:11

REDACTION
Plaintiff,

v.

AUSTIN DAVIS,
Defendants.

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Docket No. **REDACTION**

Ph. Crain

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

RECUSAL ORDER

This Court hereby recuses itself from the above-stated matter. This case is being forwarded to the Assignment Judge for re-assignment to another Court.

Enter this 7th day of February, 2018.

JUDGE KELVIN JONES

[Handwritten Signature]



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed to the following parties on this the 7th day of February, 2018:

The Honorable Randy Kennedy

Larry Crain, Attorney
5214 Maryland Way, Suite 402
Brentwood, TN 37027

Austin Davis
P.O. Box 159153
Nashville, TN 37215

Ph. Crain
Deputy Clerk

IN THE EIGHTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
2019 FEB 26 PM 2:31

AUSTIN DAVIS,

Plaintiff,

v.

COVENANT PRESBYTERIAN
CHURCH OF NASHVILLE;
NASHVILLE PRESBYTERY, P.C.A.;
PRESBYTERIAN CHURCH IN
AMERICA (A CORPORATION);
STEWART JAMES (JIM)
BACHMANN, JR.,

Defendants.

RICHARD R. ROOKER, CLERK

Docket No. 14C2556

ORDER

Why was this order signed 3 years later?

Pursuant to the Opinion of the Court of Appeals of Tennessee filed February 18, 2016, this Court hereby DISMISSES WITH PREJUDICE Plaintiff's claims for **defamation and outrageous conduct against Stewart James Bachmann, Jr.** As this resolves all remaining claims, this order shall be deemed a final order. Court costs shall be taxed to the Plaintiff for which execution shall issue, if necessary.

IT IS SO ORDERED.

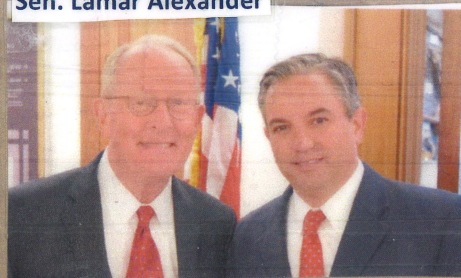
Entered this **26th** day of February, 2019.

Valid? - Signed 1 year and 19 days after the recusal of Judge Kelvin Jones in a related case.

JUDGE KELVIN JONES



Sen. Lamar Alexander



New Federal Judge William "Chip" Campbell – Attorney For Nashville Presbytery against Austin Davis during a Mann Act Federal Crime cover-up.

In a minority opinion written in dissent of a \$2.1 million judgment against Austin Davis, Tennessee Appellate Court Judge Andy D. Bennett wrote: "I believe Mr. Davis did not receive an impartial trial." In a related criminal case, Davidson County Sheriff Sergeant Solomon Holley was paid to participate in a false retaliation arrest of Austin Davis, and also served as a grand juror on Judge Cheryl Blackburn's secret grand jury that indicted Austin Davis.

In an abundance of caution, protected information is not provided in submission to Attorney Larry Crain's permanent injunction request granted on Sept 24, 2018.

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE
June 5, 2019 Session

FILED
09/06/2019
Clerk of the
Appellate Courts

REDACTED v. AUSTIN DAVIS

Appeal from the Circuit Court for Davidson County
REDACTED REDACTED

No. REDACTED

ANDY D. BENNETT, J., dissenting.

Upon reading the majority opinion, both what is said and what is left unsaid, one may sum it up as follows: Mr. Davis is at fault, he did not follow the rules, and he is getting what he deserves. Mr. Davis may indeed deserve what the majority is giving him, but not in the way they do it. I respectfully dissent.

The Tennessee Supreme Court has said that:

"The right to a fair trial before an impartial tribunal is a fundamental constitutional right." *State v. Austin*, 87 S.W.3d 447, 470 (Tenn. 2002). Article VI, section 11 of the Tennessee Constitution provides, "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...." This provision is intended "to guard against the prejudgment of the rights of litigants and to avoid situations in which the litigants might have cause to conclude that the court had reached a prejudged conclusion because of interest, partiality, or favor." *Austin*, 87 S.W.3d at 470. We have recognized that it is important to preserve the public's confidence in a neutral and impartial judiciary. *Bd. of Prof'l Responsibility v. Slavin*, 145 S.W.3d 538, 548 (Tenn. 2004).

Bean v. Bailey, 280 S.W.3d 798, 803 (Tenn. 2009). In furtherance of this right, the Tennessee Supreme Court has established a Code of Conduct for Judges and a specific procedure for seeking the recusal of judges. See TENN. SUP. CT. R. 10, 10B.

I believe Mr. Davis did not receive an impartial trial. The recitation of facts reveals two blatant, interrelated problems not raised by either party. First, there was a violation of Tennessee Supreme Court Rule 10B. Mr. Davis filed a motion to recuse on

January 25, 2018.¹ On February 2, 2018, the trial judge granted **REDACTED** motion for sanctions in the form of attorney's fees. However, Rule 10B, § 1.02, mandates that a judge cannot make further orders in the case while the Rule 10B motion is pending. Entering the sanctions order tainted the judicial process. Almost immediately thereafter, Mr. Davis filed another motion to recuse identical to the prior one and five days later, on February 7, 2018, the trial judge recused himself without explanation.² The recusal allows us to infer a bias or conflict.³

The second problem occurred because, on September 24, 2018, the subsequent trial judge found that "the Court's previous award of attorney's fees has been an insufficient deterrent and that the Defendant has continued steadfast in a course of contumacious conduct." The trial court then granted **REDACTED** a default judgment as to liability using the first judge's improper order as a basis for more extreme sanctions. This reliance on the first sanction order by the second trial judge compounded the taint created by the first judge. The jury determined damages only.

It may be said that we should not take up these matters because no party raised them. Indeed, there is ample authority for this proposition. *See Childress v. Union Realty Co., Ltd.*, 97 S.W.3d 573, 578 (Tenn. Ct. App. 2002) (holding that an issue is waived if party fails either to argue the issue in his or her appellate brief but fails to designate it as an issue or to raise the issue but fails to address it in the argument section of his or her brief); *Parker v. Shelby Cnty. Gov't Civ. Serv. Merit Bd.*, 392 S.W.3d 603, 615 (Tenn. Ct. App. 2012) (stating that "[u]sually an issue not raised on appeal is considered waived by this Court"). However, Tenn. R. App. P. 36(b) provides some leeway: "When necessary to do substantial justice, an appellate court may consider an error that has affected the substantial rights of a party at any time, even though the error was not raised in the

¹ The extensive commentary in footnote 4 of the majority opinion is aimed squarely at this dissent. In footnote 4, the majority speculates that "Judge **REDACTED** was likely unaware that the recusal motion was pending when the sanctions motion was heard." My main focus is the order issued one week later, not the January 26 hearing. I would note, however, that the Court of Appeals cannot speculate away the express mandate of the Tennessee Supreme Court that "While the motion is pending, the judge whose disqualification is sought shall make no further orders and take no further action on the case, except for good cause stated in the order in which such action is taken." No leeway is given for the judge's lack of knowledge of the motion. No "good cause" language is found in the trial court's February 2, 2018 order.

² No explanation is required if the motion to recuse is granted. TENN. SUP. CT. R. 10B, § 1.03 ("If the motion is denied, the judge shall state in writing the grounds upon which he or she denies the motion.").

³ "[P]ublic officials in Tennessee are presumed to discharge their duties in good faith and in accordance with the law." *West v. Schofield*, 460 S.W.3d 113, 131 (Tenn. 2015). Without a bias or conflict, the trial judge should not have recused himself. In *Rodgers v. Sallee*, No. E2013-02067-COA-R3-CV, 2015 WL 636740, at *5 (Tenn. Ct. App. Feb. 13, 2015), the court observed that "such decisions are not typically made absent some doubt by the judge that he or she can preside impartially in the proceeding or a belief that there would be a reasonable basis for questions regarding his or her impartiality or potential bias."

motion for a new trial or assigned as error on appeal.” Additionally, Tenn. R. App. P. 13(b) expressly states that the appellate court “may in its discretion consider other issues in order, among other reasons: (1) to prevent needless litigation, (2) to prevent injury to the interests of the public, and (3) to prevent prejudice to the judicial process.” *See also Bell v. Todd*, 206 S.W.3d 86, 90-91 (Tenn. Ct. App. 2005). I firmly believe that the tainted orders created by the undeniable violation of Rule 10B injure the judicial process if left uncorrected.⁴

Our courts have repeatedly maintained that “Public confidence in the performance and impartiality of the judiciary is maintained only when judges rigorously adhere to the Code of Conduct. Violations of the Code, if left unaddressed, diminish public confidence and injure the entire judicial system.” *In re Bell*, 344 S.W.3d 304, 320 (Tenn. 2011) (quoting *In re Williams*, 987 S.W.2d 837, 844 (Tenn. 1998)). Specifically our Supreme Court has said, “[i]f the public is to maintain confidence in the judiciary, cases must be tried by unprejudiced and unbiased judges.” *Davis v. Liberty Mut. Ins. Co.*, 38 S.W.3d 560, 564 (Tenn. 2001). The state’s interest in preserving public confidence in the judiciary has even been described as “compelling.” *Bd. of Prof’l Responsibility v. Parrish*, 556 S.W.3d 153, 166 (Tenn. 2018) (quoting *Disciplinary Counsel v. Gardner*, 793 N.E.2d 425, 432 (Ohio 2003)). Furthermore, “preservation of the public’s confidence in judicial neutrality requires not only that the judge be impartial in fact, but also that the judge be perceived to be impartial.” *Kinard v. Kinard*, 986 S.W.2d 220, 228 (Tenn. Ct. App. 1998).

To allow a recusal motion to be filed, followed by the trial court’s grant of sanctions against the party seeking recusal, and then a grant of the recusal motion rightly invites a questioning of the impartiality of the trial and appellate courts. Thurgood Marshall once said, “We must never forget that the only real source of power that we as judges can tap is the respect of the people.” *THE QUOTABLE LAWYER* 149-50 (David Shrager et al. eds., 1986). How can we keep the respect of the people if we ignore rules designed to ensure impartiality? Under the admittedly odd circumstances of this case, the integrity of our system requires appellate consideration of the issues related to the Rule 10B motion.

I do not undertake this dissent lightly. I am sympathetic to the REDACTED REDACTED But I see no other appropriate option. Because of the Rule 10B violation, I would vacate the trial court’s February 2, 2018 order and, because the trial court relied on the February 2, 2018 order when deciding to grant REDACTED a default judgment on

⁴ I readily acknowledge that Davis’s motions to recuse had deficiencies. However, the first trial judge considered the motions and did, in fact, recuse himself. “[B]ecause the trial court found sufficient basis to withdraw from the case, it should not have entered substantive rulings on contested matters while the recusal motion was pending.” *Carney v. Santander Consumer USA*, No. M2010-01401-COA-R3-CV, 2015 WL 3407256, *7 (Tenn. Ct. App. May 28, 2015) (describing *Rodgers v. Sallee*, 2015 WL 636740).

liability, I would also vacate the trial court's September 24, 2018 order and the October 3, 2018 order adopting the jury's damages awards.


ANDY D. BENNETT, JUDGE

IN THE SUPREME COURT OF THE STATE OF TENNESSEE
AT NASHVILLE

Austin Davis

Appellant (Defendant),

Trial No. REDACTED

Case No. REDACTED



v.

REDACTED

Appellee (Plaintiff),

\$2.1 million default judgment appealed to Tennessee Supreme Court.

Rule 11 APPLICATION FOR PERMISSION TO APPEAL TO THE TENNESSEE
SUPREME COURT FILED ON BEHALF OF THE PRO SE APPELLANT

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

Austin Davis – Pro Se
221 31st Ave. N. Apt 135
Nashville, TN 37203
615-999-8190
fmdshiloh@aol.com



EXCERPT

For EXCERPT pages:

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

On August 31, 2018, REDACTED filed first set of the interrogatories and request for production of documents. REDACTED interrogatories were intrusive to learn about every person, church member, news reporter, and public official the Appellant had communicated to about a child sex abuse cover-up. The REDACTED use of a Court's power to compel the Appellant to provide the identities of reporters, law enforcement and public officials the Appellant was speaking with during an on-going Mann Act Federal crime cover-up seems to be a twisted and possibly criminal misuse of the Tennessee Judicial system.

On September 11, 2018, REDACTED child sex abuse expert witness provided sworn testimony in a deposition: "Q. Was any other child sexually abused by John Perry? A. I have no idea. Q. In the injunction hearing, I asked you about John Perry's safe house, where other children were placed in 2002. A. I don't know anything about that." (Dep. pp.27) "Q. Do you know if the REDACTED R was asleep or awake? A. At different-- I think R was asleep at some instances." Dep. Pp 26). "Q. In the injunction hearing, REDACTED

REDACTED for 10 years, so that would take it back to 2006. REDACTED

REDACTED A. No sir, we started in April 2008. Q. April 2008. Okay. And in the injunction hearing, you said that Larry Ferris was the one that contacted you from Covenant. A. Uh-huh. Q. So how did it all come about? What is it exactly that happened because you got

EXCERPT

REDACTED

A. Well, so what happened is Mr.

Ferris called me on the phone and said, 'Hey, we have something that has come up in our church.

Do you have room for a new client? And I said, 'Yes, I do.'" And he told me a little about what

happened. And so then we made the appointment, and who came to the appointment was REDACTED

REDACTED ∴ (Dep. pp. 22)

On September 17, 2018, REDACTED filed Limine motions 1-3 to prohibit Appellant from discussing Attorney Larry Crain's other clients which included a person who sued the mother of the 6th grade Brentwood Academy alleged rape victim for \$1.5 million. The Limine motions also sought to protect alleged confidential conversations with pastors, and to prohibit any discussion of news reports from being discussed during the trial. (Vol VII pp. 1001 - Vol VIII pp.1020).

On September 17, 2018, Appellant filed a reply to renew motion to compel discovery and for sanctions. (T.R. Vol. VIII pp. 1021 – Vol. IX pp. 1203).

On September 18, 2018, REDACTED filed Limine motion 4 to prohibit Appellant from discussing child-molester John Perry's "safe house" used for other children, or Greg Lurie's sworn declaration about REDACTED being placed in John Perry's "safe house." Appellee's Limine 4 motion refers to the safe house as "mythical." (T.R. Vol. IX pp. 1204-1206) To date, Appellant remains haunted that John Perry's real "safe house" was referred to as "mythical" in the REDACTED brief to the Appellate Court. (T.R. VIII pp. 1095-1096).

On September 19, 2018, REDACTED filed the deposition of child sex abuse therapist and expert witness Caroline Post Cone. (T.R. Vol. IX pp. 1213-1214). Ms. Cone provided stunning sworn testimony of child sex abuse across state lines in violation of the Federal White Slave Act (Mann Act) which has no statute of limitations for child sex abuse: "Q. In the lawsuits, they've given the ages 11 and then changed it; they went to 12. Do you know what the age was? A. I



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