

A tornado spared the Tennessee Supreme Court and Tennessee State Capitol in the early morning hours of March 3, 2020. A short time before the tornado struck downtown Nashville, Austin Davis learned the Tennessee Supreme Court had protected child-molester, John Perry, and a Mann Act Federal crime cover-up connected to Presidential Politics, Jay Sekulow, and the Ukraine. *See court orders and a criminal appeal motion in this link. For more information on a Mann Act Federal crime cover-up, go here: <https://www.thesilentbell.org/>*



Feb 20, 2020

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



REDACTED v. AUSTIN DAVIS

Circuit Court for Davidson County

REDACTED

No. **REDACTED**

ORDER

Upon consideration of the application for permission to appeal of Austin Davis and the record before us, the application is denied.

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

PER CURIAM

Feb 20, 2020 – The Tennessee Supreme Court granted child-molester John Perry's attorney, Larry Crain, with a \$2.1 million "*invasion of privacy – defamation*" legal victory against Austin Davis. Child-molester John Perry had a book proposal with Jay Sekulow's ACLJ organization in March 2012. Attorney Larry Crain is a long-time friend and former ACLJ colleague of President Trump's impeachment attorney, Jay Sekulow. Who paid Larry Crain's attorney fees to sue the bankrupt Austin Davis for three years-- especially since Austin Davis has no assets and only receives a monthly social security check since his forced early retirement?

IN THE CRIMINAL APPEALS COURT FOR THE STATE OF TENNESSEE
MIDDLE DIVISION SECTION AT NASHVILLE

Willie Austin Davis

Defendant/Appellant

FILED
FEB 24 2020
Clerk of the Appellate Courts
Rec'd By _____

vs.

Case No. M2019-01852-CCA-R3-CD

Trial No. 2017-A-62

State of Tennessee

Plaintiff/Appellee

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

MOTION FOR EXTENSION OF TIME FOR FILING BRIEF

Pro Se Appellant, Willie Austin Davis, requests 60 days extension of time within which to file a brief from the original due date of March 5, 2020, in this case.

This is Movant's 1st request for extension in this case:

Opposing Counsel:

- Does Not object to this motion.
- Objects
- Called, unable to reach and left message

I am "pro se" and this is my first attempt at writing a legal brief for a criminal appellate case. The Honorable Andy D. Bennett wrote a minority appellate opinion in a related child sex abuse cover-up civil case (REDACTED), stating: "I believe Mr. Davis did not receive an impartial trial." From Appellant's knowledge of facts, my arrest at a public Sunday church service and the subsequent trespass prosecution case was used to protect a safe house - child sex abuse Mann Act Federal crime cover-up case connected to Covenant Presbyterian Church (Nashville), Presidential Politics, Jay Sekulow, Rev. Billy Graham's final biography, and the Ukraine. As an Appellant without legal representation, I respectfully request more time to study, review, research, and to prepare my written brief. Also, Pro Se Appellant still has questions about the accuracy of court transcripts but a court reporter has informed the Appellant that the court will not give out the court video and audio record to the Defendant-Appellant. Also, the Davidson County grand jury issues I have discovered are not only important to my individual case, but are also important to the "integrity" and "public interest" of other cases, including Tennessee Titans Quarterback Steve McNair's grand jury. In closing, Attorneys James G. King, Parke Morris and Phil Harvey are no longer my attorneys and should not be listed on my court record as my attorneys.

Affidavit

I, Willie Austin Davis, swear and/or affirm that all of the facts stated in this motion are true and correct to the best of my knowledge.

Willie Austin Davis
Signature of Appellant – Willie Austin Davis

Willie Austin Davis
Print Name of Appellant – Willie Austin Davis

Sworn to and subscribed before me
this the 24th day of February, 2020.

Emeline Thrash
Signature of Notary Public

EMELINE THRASH
Printed Name of Notary Public



CERTIFICATE OF SERVICE

I, Willie Austin Davis, hereby certify that a true and exact copy of the foregoing motion has been forwarded by United States Postal Service, first class, postage pre-paid, on Feb 24, 2020, to the following parties:

General Benjamin A. Ball
Office of the Tennessee
Attorney General
301 6th Ave. North
Nashville, TN 37243

Does the Tennessee Attorney General's Office have a prejudice against Austin Davis? Attorney General Herbert Slatery is a long-time friend of Covenant Pastor Billy Barnes (MBA Father). On Feb 3, 2014, Mr. Slatery supported Covenant Leadership by speaking at Covenant Presbyterian Church during a child sex abuse Mann Act Federal crime cover-up. Catherine Davis is still waiting for a response from Attorney General Slatery after she hand-delivered a desperate plea to Mr. Slatery via Gov. Bill Haslam's office on Sept 19, 2014.
<https://soundcloud.com/valglenn18/herbert-slatery-speech>



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

Sept 19, 2014

From: Catherine Davis <valglenn18@aol.com>
To: herbert.slatery <herbert.slatery@tn.gov>
Subject: Letter To Tennessee Attorney General Herbert Slatery
Date: Fri, Sep 19, 2014 11:56 am

Dear Mr. Slatery,

Congratulations on your historic selection as the new Tennessee Attorney General. I know you are very busy and may not have seen, or even remember, several emails I sent you earlier this year:

<http://www.keepandshare.com/doc4/45636/2014-d-jan-31-catherine-davis-emails-to-herb-slatery-gov-haslam-292k?da=y>

I know you to be an Elder at Cedar Springs Presbyterian Church, and I also know that Cedar Springs voted to depart the PCA on April 8, 2001: <http://www.uclick.com/client/zzx/rt/2001/04/12/>

Encouraged by this information, I wanted you to know about the never-ending abuse of my family prior to your speaking engagement at Covenant Presbyterian Church on February 3, 2014. I am sorry I did not get my message through to you, or that people may have provided you untrue information about me:

<https://soundcloud.com/valglenn18/herbert-slatery-speech>

Last week, the Tennessee Supreme Court allowed a public hearing to select a new Attorney General for the first time since the state was formed in 1796: <http://www.tennessean.com/story/news/politics/2014/09/11/tn-supreme-court-pick-attorney-general-monday/15469041/>

I am grateful to the Supreme Court for allowing this public hearing, and I am also grateful my husband was permitted to make a 3-minute public statement before the 8 Attorney General candidates:

<http://youtu.be/BvH9UTHnB6c>

If you have any doubts about the veracity of my husband's public statement, I would encourage you to read the sworn statements submitted to Judge Carol Soloman on August 13, 2014:

<http://www.keepandshare.com/doc4/44871/2014-w1-aug-13-4th-lawsuit-exhibits-1-5-motion-to-recuse-judge-soloman-3-0-meg?da=y>

As the new Attorney General, you have a tremendous opportunity to establish a lasting legacy by doing right in the first case brought to your attention by an ordinary Tennessean.

I will hand-deliver a hard-copy of this email down to the State Capitol today. I am willing to meet with you in person at any time to answer any questions you may have.

Respectfully Yours,
Catherine Fleming Davis
5895 Willshire Drive
Nashville, Tn 37215
615-579-7282
Psalm 93

Capitol 1st Floor



**Catherine
Davis**

ID# V120171644

LOBBY GUARD

Sign In. Sign Out. Secure.

09/19/14 11:59 pm

Received by Governor
Haslam's Office on 9/19

1:37 pm

Laura Hunt

Feb 24, 2020

**IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE**

STATE OF TENNESSEE v. WILLIE AUSTIN DAVIS

**Davidson County Criminal Court
2017-A-62**

No. M2019-01852-CCA-R3-CD

Date Printed: 02/24/2020

Notice / Filed Date: 02/24/2020

NOTICE - Motion for Extension to File - Brief

The Appellate Court Clerk's Office has entered the above action.

James M. Hivner
Clerk of the Appellate Courts

Feb 25, 2020

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

REDACTED v. AUSTIN DAVIS

Davidson County Circuit Court

REDACTED

No. REDACTED

Date Printed: 02/25/2020

Notice / Filed Date: 02/25/2020

NOTICE - Order - Withdrawing Order/Judgment/Opinion

The Appellate Court Clerk's Office has entered the above action.

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

James M. Hivner
Clerk of the Appellate Courts

Feb 25, 2020: Why did Tennessee Supreme Court withdraw the Feb 20th denied petition on the day after Austin Davis filed an "extension of time" motion with the Tennessee Criminal Appellate Court?

Feb 25, 2020

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

02/25/2020

Clerk of the
Appellate Courts

REDACTED v. AUSTIN DAVIS

Circuit Court for Davidson County
No. **REDACTED**

No. **REDACTED**

ORDER

It appears to the Court that the order filed February 20, 2020 denying the application to appeal of Austin Davis is hereby withdrawn. The Clerk is hereby directed to recall the mandate issued February 20, 2020.

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

PER CURIAM

Feb 25, 2020: Why did Tennessee Supreme Court withdraw the Feb 20th denied petition on the day after Austin Davis filed an "extension of time" motion with the Tennessee Criminal Appellate Court?

Feb 25, 2020

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE

FILED

02/25/2020

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. WILLIE AUSTIN DAVIS

Criminal Court for Davidson County
No. 2017-A-62

No. M2019-01852-CCA-R3-CD

ORDER

This matter is before the Court upon motion of the Appellant for an extension of time to file his appellate brief in the above-captioned appeal. Upon review of the Appellant's motion, the same is hereby granted. The Appellant shall have until May 4, 2020, to file his brief.

Judge Robert W. Wedemeyer

Feb 25, 2020



424 CHURCH STREET, SUITE 1401
NASHVILLE, TN 37219-2392
TELEPHONE: (615) 244-6538
FACSIMILE: (844) 670-6009
<http://www.dickinsonwright.com>

AUTUMN L. GENTRY
AGentry@dickinsonwright.com
(615) 620-1755

February 25, 2020

VIA E-MAIL AND U.S. MAIL

Austin Davis
Catherine Davis
Daisy Davis
Drew Davis
221 31st Avenue N., Apt 135
Nashville, TN 37203
valglenn18@aol.com
fmdshiloh@aol.com

**Physical Evidence that Dickinson-Wright Law Firm
is still using the U.S. Postal service to aggressively
intimidate the Davis Family to protect child-molester
John Perry and a Mann Act Federal crime cover-up.**

Re: Prohibition from Stephens Valley Church Property

Dear Austin, Catherine, Daisy and Drew:

This firm has been retained by Westminster Chapel, Inc. d/b/a Stephens Valley Church ("Stephens Valley Church") regarding the matters set forth herein. This letter serves as notice to each of you that you do not have the permission or the consent of Stephens Valley Church to enter upon or otherwise remain on the property located at 6000 Pasquo Road, Nashville, Tennessee, 37221 (the "Church Property").

To clarify, you are prohibited from entering upon or otherwise remaining on the Church Property at any time whatsoever, regardless of the day of the week or the time of day. This prohibition is in effect 24 hours a day, 7 days a week.

In the event that any of you ignore this letter, Stephens Valley Church will immediately notify law enforcement to remove you from the Church Property and arrest you for criminal trespass and for any other violations of Tennessee law.

I sincerely hope that each of you will choose to voluntarily comply with this letter and Tennessee law.

Sincerely,

Autumn L. Gentry

ALG/lac
4813-5543-5702 v1 [73861-1]

Feb 27, 2020

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
02/27/2020
Clerk of the
Appellate Courts

REDACTED v. AUSTIN DAVIS

Circuit Court for Davidson County

REDACTED

REDACTED

ORDER

Upon consideration of the application for permission to appeal of Austin Davis and the record before us, the application is denied.

The opinion of the Court of Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4, § E.

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

PER CURIAM

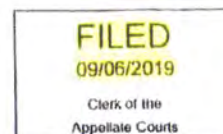
Feb 27, 2020: Did the Tennessee Supreme Court add the "Not For Citation" clarification to prohibit Austin Davis from citing the minority appellate opinion of The Honorable Andy D. Bennett in a related child sex abuse cover-up case: "I believe Mr. Davis did not receive an impartial trial... I firmly believe that the tainted orders created by the undeniable violation of Rule 10B injure the judicial process if left uncorrected... 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."

Did the Tennessee Supreme Court add the "Not For Citation" clarification to prohibit Austin Davis from citing the minority appellate opinion of The Honorable Andy D. Bennett in a related child sex abuse cover-up case?

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.

Sept 6, 2019

Nov 5, 2019 – Case petitioned to TN Supreme Court



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

REDACTED v. AUSTIN DAVIS

Appeal from the Circuit Court for Davidson County
REDACTED REDACTED

No. REDACTED

Update - Sept 18, 2019 – Judge Blackburn denied Austin Davis a new trial to protect Nashville Police, a malicious prosecution, child-molester John Perry, a Mann Act Federal crime cover-up and Judge Blackburn's own secret grand juror, DCSO Sgt. Sgt Holley.

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

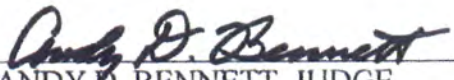
Our courts have repeatedly maintained that “Public confidence in the performance and impartiality of the judiciary is maintained only when judges rigorously adhere to the Code of Conduct. Violations of the Code, if left unaddressed, diminish public confidence and injure the entire judicial system.” *In 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

DA Glenn Funk was provided "exculpatory" child sex abuse cover-up information after the rigged criminal trial and conviction of Austin Davis. Is the Tennessee Supreme Court trying to prohibit "exculpatory" evidence from reaching the Tennessee Criminal Court of Appeals with the revised "Not For Citation" ruling on Feb 27, 2020?



State of Tennessee
TWENTIETH JUDICIAL DISTRICT

THOMAS W. BROTHERS,
JUDGE
SIXTH CIRCUIT COURT

404 METROPOLITAN COURTHOUSE
NASHVILLE, TENNESSEE 37201
(615) 862-5917

September 27, 2018

General Glenn Funk
Washington Square, Suite 500
222 2nd Avenue North
Nashville, Tennessee 37201-1649

Dear General Funk,

Please find enclosed DVDs of the trial testimony in the recent case of REDACTED versus Austin Davis, REDACTED. The plaintiff testified under oath that R had been molested as a child by REDACTED. During the trial the defendant made numerous complaints that the police and authorities have refused to investigate these claims. I believe it is my obligation to provide this information to your office in order that you may determine whether any further review or investigation is required. Please maintain the identity of the plaintiff, "REDACTED," confidential unless R authorizes otherwise. I am advising both parties of my actions by copies of this letter.

Thank you and please do not hesitate to let me know if I can provide any other assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas W. Brothers".

Thomas W. Brothers

CC: Larry Crain, attorney for plaintiff
Austin Davis, defendant

Asst. DA Chandler Harris mocked Austin Davis and the "myths" about a child-sex abuse cover-up during the criminal trial. However, the child sex abuse is true and supported by rock-solid sworn evidence provided to DA Glenn Funk. Asst. DA Chandler Harris has apparently fled Nashville for Philadelphia, PA to work for Mullen Coughlin. Attorney General Herbert Slatery continues the "malicious prosecution" of Austin Davis before the Tennessee Criminal Court of Appeals.