

Did Robert Pautienus threaten Austin Davis to protect the biggest cover-up in Tennessee since Gov. Ray Blanton was removed from office?

Was Robert Pautienus a man of fidelity when he wrote: "All of your allegations against them are patently false?"



Robert M. Pautienus III
Attorney At Law
robert@fidelislawfirm.com

April 26, 2021

SENT VIA US MAIL AND EMAIL: fmdshiloh@aol.com

Willie Austin Davis
221 31st Avenue North, Apt. 135
Nashville, Tennessee 37203

Re: **CEASE AND DESIST NOTICE**

Dear Mr. Davis:

Please be advised that I represent Christ Presbyterian Church ("CPC"), and its related entities, including Christ Presbyterian Academy (CPA), Koinonia, and the Nashville Institute for Faith and Work. I have reviewed your voluminous email communications and your allegations against my client. In your emails, you specifically accuse Matt Moore, CPC, and CPA of being involved in a multifaceted conspiracy. Your email insinuates that Matt Moore, CPC, and CPA participated in a criminal activity regarding a large cover-up for John Perry. You allege that this conspiracy has lasted for years and involves former CPC and CPA alumni and teachers.

Please be advised that Matt Moore, CPA, CPC, and its related entities, are not and have never been involved in any criminal conspiracy, and all of your allegations against them are patently false. Any assertion on your behalf otherwise is intentionally designed by you to harm CPC, CPA and Matt Moore.

Please be advised that you need to immediately cease and desist any further communications to and regarding Matt Moore, CPC, CPA, and any other related entity. This includes ceasing all communications with Matt Moore, individually, and sending your inflammatory emails to employees of CPC and CPA. Your actions have defamed the character of both Matt Moore, CPC and CPA, and constitutes libel *per se*, harassment, and false light invasion of privacy.

Please be advised that if you send another communication to Matt Moore, CPA, CPC, or any of its related entities, or employees, then my client will be left with no option but to take any and all legal action against you to protect CPC, its related entities, and employees from your intentionally harmful actions. Nothing in this correspondence is a waiver or should be interpreted as any kind of waiver of any rights and remedies of Matt Moore, CPC, or any of its related entities, all of which are expressly reserved.

Yours to Call Upon,



Robert M. Pautienus, III

See petition to TN Supreme Court about Christ Presbyterian Church and two Governors on page 9.

RMP/as



**Robert Pautienus
Fidelis Law –
Brentwood High
Cross County Coach**



**TN Chief Justice
Jeffrey S. Bivens**



**Parker T. Brown
Fildelis Law –
Former Judicial
Clerk For Chief
Justice Bivens**

1585 Mallory Lane, Suite 104



Brentwood, Tennessee 37027

615-370-3010



fidelislawfirm.com



615-371-8769 (Fax)

Robert Pautienus threatened Austin Davis three days after Austin Davis informed elected Tennessee Senators and Representatives of public corruption.

-----Original Message-----

From: fmdshiloh@aol.com

To: lt.gov.randy.mcnally@redacted; cecil.vandevender@redacted

Sent: Fri, Apr 23, 2021 12:08 pm

Subject: Public Corruption - Child Sex Abuse Cover-Up **TN News Corporations will not inform Tennessee voters.**

Lt. Gov. McNally - Mr. Vandevender: I am unable to receive a fair, impartial judiciary in Tennessee as promised by Article VI, Section 11 of the Tennessee Constitution. A Mann Act Federal crime cover-up continues within the Tennessee Supreme Court, the Attorney General's Office, and the Office of the Governor. Respectfully, Austin Davis

<https://www.keepandshare.com/doc15/23783/2021-10-apr-23-gods-above-the-law?da=y>

<https://www.thesilentbell.org/>



**Chief Justice
Jeffrey Bivens
Haslam Appointed**



**Justice Cornelia Clark
Recused From BA Case**



**Justice Holly Kirby
Haslam Appointed**



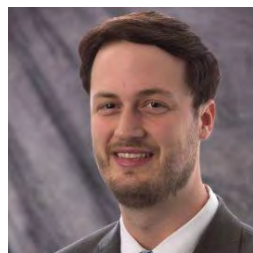
Justice Sharon Lee



**Justice Roger Page
Haslam Appointed**



**Robert Pautienus
Fidelis Law**



**Parker Brown – Fidelis Law
Ex-Clerk For Justice Bivens**



Gov. Bill Lee



Gov. Bill Haslam

Did Robert Pautienus threaten Austin Davis to protect Christ Presbyterian Alumni Father Bill Lee who still ignores a banned, bullied and molested former Belmont University – Harpeth Hall student?

----- Forwarded message -----

From: **Daisy Davis** <redacted >
Date: Thu, Aug 16, 2018 at 2:27 PM
Subject: Re: As you travel to Memphis
To: Bill Lee <bill@redacted>

Hi again Mr. Lee -

First of all, I want to say congratulations on winning the GOP nomination!

Since we last spoke, my father has been back in court as the cover-up continues. Here is some information you may want to read: <https://www.thesilentbell.org/>. I hope you will stand with our family and supporters against child sex abuse.

Best,

Daisy

On Sat, Jul 28, 2018 at 10:35 AM, Bill Lee <bill@redacted> wrote:
Daisy,

It was great to meet your dad, I am grateful he took the time to come out and listen to my vision for our state. Thank you for the info, I'll be sharing it with my policy team.

Thanks for the note.

-Bill

On Thu, Jul 26, 2018 at 1:59 AM, Daisy Davis <redacted > wrote:
Hi Mr. Lee -

I'm sorry to write you so late. I would've written you earlier, but I just got home from work. My name is Daisy Davis and I am a rising senior at Belmont University. My father, Austin Davis, enjoyed meeting you and your wife at the Corner Pub the other day. My dad graduated from Memphis University School and still has many MUS/Ole Miss friends in Memphis. I hope you can take a few minutes to look at this information (provided in the links below) as you travel to Elvis' hometown. If you have any questions please feel free to contact me.

Have a safe trip and enjoy some good BBQ!

God bless,

Daisy
redacted

<https://www.keepandshare.com/doc11/25319/2018-1w-july-22-the-silent-bell-part-14-combined-for-bl?da=y>

<https://m.youtube.com/watch?v=hhYXcaW4Fps>

Should Robert Pautienus be a high school cross country coach at Brentwood Public High School?



Robert M. Pautienus III - Brentwood High School Cross Country Coach

facebook

About

Work



Head Cross country coach and Assistant track coach at Brentwood High School (Tennessee)
March 20, 2017 - Present · Brentwood, Tennessee



Managing Partner at Fidelis Law, PLLC
May 2000 - Present · Brentwood, Tennessee

Does Robert Pautienus know Roderick Russ IV, Kathy Cheeseman, Ken Cheeseman, and/or Attorney Larry Crain? Attorney Larry Crain sued the mother of the alleged BA rape victim for \$1.5 million because she would not remove paragraph 15 from the original BA lawsuit. Paragraph 15 alleged adult bullying of a sibling of the alleged BA rape victim at a small private Green Hills school where Ken Cheeseman was the former Head of School (St. Paul Christian Academy).



Roderick Russ – MBA Cross Country Coach – Covenant Elder – Still protecting the John Perry – Mann Act Federal crime cover-up.



Cathy Cheeseman – Former BA Track and Cross Country Coach. Married to former Covenant Deacon and former Head of St. Paul Christian Academy, Ken Cheeseman.



Ken Cheeseman - Head of Webb School in Bell Buckle. Ran Cross Country & Track at UVA. Still protecting



Larry Crain – Attorney for child-molester John Perry. Sued mother of BA alleged rape victim for \$1.5 MM, and Austin Davis for \$3 MM.

A very knowledgeable source told Austin and Catherine Davis that a former Christ Presbyterian Academy student was possibly molested by known and protected child-molester John Perry. A very knowledgeable source also told Austin and Catherine Davis that the John Perry home was like grand central station for children and visiting families. Do Brentwood – Christ Presbyterian families want school educators and coaches to silence or suppress reports of child molester safe houses, child sex abuse and child rape, or do they want school educators and coaches who care about protecting children under their care?



**Robert M. Pautienus III -
Brentwood High School
Cross Country Coach –
CPA Attorney**



**Wendy McCormick –
Asst. to the Associate
Head of CPA School
and Academic Dean**



**John Perry –
CPA Alumni Father –
Protected Child-
Molester**

 SOUNDCLLOUD

Listen in app



**CHRIST
PRESBYTERIAN
ACADEMY**

**4/14/21: A Voice Message
Claiming To Be Wendy
McCormick Said: "I am not
interested."**



**April 14, 2021 – Austin Davis received a voice message
from a woman who identified herself as Wendy McCormick.**

Feb. 6, 2021: Brentwood High Coach Robert Pautienus III was provided truthful information about Steve McNair's rigged grand jury and a child sex abuse cover-up connected to the alleged gang rape lawsuit of a 6th grade Brentwood Academy student.

-----Original Message-----

From: fmdshiloh@aol.com

To: robert@redacted<robert@redacted>

Sent: Sat, Feb 6, 2021 1:35 pm

Subject: BA - Alleged BA Rape Case - BA Father Steve McNair's Rigged Grand Jury

Super Bowl Weekend. Media Blackout. See info on alleged BA rape case and BA Father Steve McNair's rigged grand jury. Please pray for children and Tennessee Judicial System. God Bless, Austin Davis
615-999-8190

<https://www.keepandshare.com/doc15/23471/2021-1d-feb-4-rise-of-a-titan-billy-lyell-email-acct-court-docs?da=y>

The Silent Bell website:

<https://www.thesilentbell.org/>

April 26, 2021: Brentwood High Coach Robert Pautienus sent a threatening message to Austin Davis on behalf of Christ Presbyterian Church and Christ Presbyterian Academy during an on-going child sex abuse cover-up and other possible crimes.

-----Original Message-----

From: Robert Pautienus<robert@redacted>

To: fmdshiloh@aol.com <fmdshiloh@aol.com>

Sent: Mon, Apr 26, 2021 12:55 pm

Subject: Fidelis Law PLLC

Mr. Davis:

Please see the attached letter. I have also mailed a copy to your residence for your records.

Robert M. Pautienus III, Esq.
Fidelis Law, PLLC
Redacted Mallory Lane, Suite redacted
Brentwood, Tennessee 3****
615.370.** / 615.371.**** Fax**
www.fidelislawfirm.com

Oct 20, 2017 – MBA Alumni Father Austin Davis was wrongfully arrested prior to the Brentwood Academy vs. MBA football game after he provided truthful information to the MBA-BA communities about a child sex abuse cover-up with numerous connections to the alleged gang rape of a 6th grade Brentwood Academy student. The information about Daystar Counseling Ministries below is a small amount of information provided on Oct 20, 2017. If your child is bullied, molested or raped at a public or private school in Smashville, be careful who you trust. You too can be arrested and jailed for 18 days for speaking out to protect vulnerable children.

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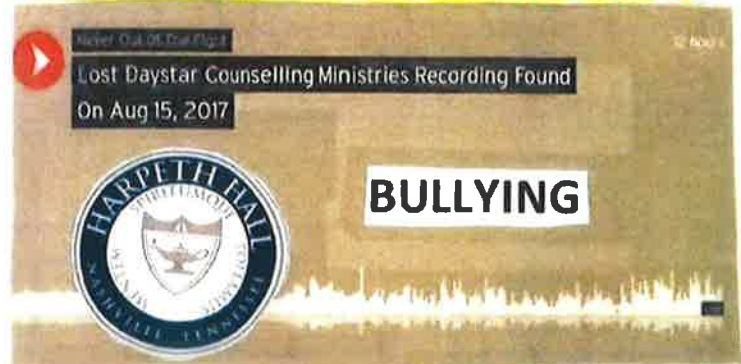
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CAN DAYSTAR BE TRUSTED?




GIF THORNTON



GIF THORNTON'S LAW FIRM IS REPRESENTING BRENTWOOD ACADEMY.

BRENTWOOD ACADEMY RAPE LAWSUIT

Brentwood Home Page  By SARAH GRACE TAYLOR - August 09, 2017
Brentwood Academy is being sued for \$30 million. According to the lawsuit, four boys... all eighth grade students at BA, repeatedly assaulted John Doe, a sixth-grader.... ***** allegedly told the basketball team that he had *****

MS. SILVESTRI WORKED FOR THE COVENANT SCHOOL PRIOR TO HER TRANSFER TO BRENTWOOD ACADEMY. MS. SILVESTRI IS NOW VERY EXPERIENCED WITH TWO ALLEGED SEX-CRIME CASES INVOLVING HER PRIVATE SCHOOL EMPLOYERS. MS SILVESTRI AND OTHER TEACHERS WHO HAVE CONTACTED AUSTIN DAVIS IN A SIMILAR FASHION DO NOT SEEM VERY INTERESTED IN CHILD SEX ABUSE ISSUES?

ACCORDING TO THE LAWSUIT

Victim told to "turn the other cheek" and "everything in God's kingdom happens for a reason."

How many Daystar Counseling Ministry Board Members are affiliated with Christ Presbyterian Church, Covenant Presbyterian Church, Brentwood Academy, Montgomery Bell Academy, and Harpeth Hall? Did Robert Pautienus threaten Austin Davis to protect Emily Tulloch, Trace Blankenship, Gif Thornton, Elizabeth Wallace, Elena Graves, and the Daystar Counseling Ministries Board?

Daystar Counseling Ministries - Board of Directors

Mark Sullivan
Jamee Thompson
Emily Tulloch - Current or Former Member of Covenant Presbyterian Church (PCA)
Trace Blankenship, Legal Counsel – West End Community Church Elder (PCA)
Tyler Winkleman, Young Leaders Council Intern
Jane Smith, Chairman
Melissa Trevathan, Ex-Officio
Tina Barrett
Jackie Brown
Katie Douglas
Jon Lucas

Honorary Board

Trace Blankenship - West End Community Church Elder (PCA)
Mimi Heldman
Corinne Kidd
Carissa Pereira
Gif Thornton- Christ Presbyterian Church Church Elder (PCA)- BA Graduate – MBA-HH Father
Donna VanHooydonk

Advisory Board

Dan Allender
Nancy Beveridge- Former HH Board Chair
Nancy Brasher
Sigmund Brouwer
Cindy Morgan Brouwer
Amy Grant- HH Alumni
Elena Graves – Current or Former Member of Covenant Presbyterian Church – HH Alumni
Lisa Harper
Terry Hemmings
Robbie Jackson
Belle Johnson
Jim Knestrick – Husband of West End Community Youth Ministry Assistant Julie Knestrick
Pepper Magargee
Debbie Alan McCurdy
Bruce McCurdy
Bunny Porter-Shirley
John VanHooydonk
Elizabeth Wallace – Wife of Covenant Presbyterian Elder and HH Board Member Jack Wallace

IN THE TENNESSEE SUPREME COURT
AT NASHVILLE



Willie Austin Davis

Defendant/Appellant

vs.

Case No. M2019-01852-CCA-R3-CD
Trial No. 2017-A-62

State of Tennessee

Plaintiff/Appellee

RECUSAL APPEAL FROM THE COURT OF CRIMINAL APPEALS

Pursuant to Tennessee Supreme Court Rule 10B 3.02 (c), Appellant exercises his right to make an accelerated appeal to the Tennessee Supreme Court founded upon the petition and other papers filed in the intermediate appellate court.

Appellant's current recusal petition is not being presented for any improper purpose, such as to harass, or to cause unnecessary delay, or needless increase in the cost of litigation.

Appellant genuinely seeks his constitutional right to a fair, impartial judiciary in a case which involves an on-going child sex abuse cover-up that continues to protect child-molester John Perry, former Republican Gov. Bill Haslam, current Republican Gov. Bill Lee, Attorney General Herbert Slatery, Christ Presbyterian Church, Montgomery Bell Academy, and others.

Appellant petitions the Honorable Court to exercise "*nostra sponte*" authority to review the Mann Act Federal crime sworn testimony about John Perry's child sex abuse across state lines which was provided in 2018 by child sex abuse expert witness, Caroline Cone, who is a Christ Presbyterian Academy Alumni mother. (*A judicial order and judicial letter confirming John Perry's child sex abuse are also included in Exhibit 1). Exhibit 1. Exhibit 2.*

Current Republican Gov. Bill Lee and child-molester John Perry are also Christ Presbyterian Academy Alumni fathers, and First Lady Maria Lee is a former teacher at Christ Presbyterian Academy, and a former youth minister at Christ Presbyterian Church. Exhibit 2.

Former Republican Gov. Bill Haslam attended Christ Presbyterian Church during his two-term tenure in Nashville as Tennessee Governor, and is a good friend of Christ Presbyterian Church Senior Pastor Scott Sauls. Gov. Bill Haslam recently mentioned his special friendship with Pastor Scott Sauls during an April 5, 2021, podcast interview with Luke Norsworthy to promote his new Thomas Nelson book entitled: Faithful Presence – The Promise and Peril of Faith in the Public Square. At this time, it is not known if prominent Thomas Nelson author, John Perry, a protected child-molester and Christ Presbyterian Alumni father, or any of John Perry's publishing industry friends or writing associates, have provided any ghostwriting, publishing, or editorial assistance to Gov. Bill Haslam in the writing and publication of Faithful Presence, scheduled for release on May 25, 2021. Exhibit 2.

Gov. Bill Haslam's long-time child-hood friend and former legal counsel, Attorney General Herbert Slatery, is also acquainted with Christ Presbyterian Church Senior Pastor Scott Sauls, and is also friends with Christ Presbyterian Elder and MBA-Harpeth Hall Father, Gif Thornton, who was appointed by Gov. Bill Lee to be the chairman of the Governor's Council for Judicial Appointments in 2019. Exhibit 2.

Republican Tennessee U. S. Senator Marsha Blackburn is also a Christ Presbyterian Academy mother, and Sen. Blackburn's husband, Chuck Blackburn, is a deacon at Christ Presbyterian Church which oversees the church's ministry, which includes Christ Presbyterian Academy. Exhibit 2.

Christ Presbyterian Church is a sister church of Covenant Presbyterian Church within the Nashville Presbytery where Christ Presbyterian Elder and MBA-Harpeth Hall Father, Gif Thornton, has served as the Nashville Presbytery Standing Judicial Chairman, and is presently still a member of the Nashville Presbytery Standing Judicial Committee. Exhibit 2.

Former Covenant School Board Chairman and MBA Father, William “Chip” Campbell, Jr., a new Federal Judge appointed by former Republican President Donald J. Trump, was hired by the Nashville Presbytery in two John Perry child sex abuse cover-up lawsuits-- won by fraud-- with judicial orders signed by MBA Father and Davidson County Judge, Kelvin Jones, who is now under investigation by the Tennessee Bureau of Investigation. Exhibit 2. Exhibit 3.

Appellant provides this Christ Presbyterian Church, Covenant Presbyterian Church and Montgomery Bell Academy information to the Tennessee Supreme Court because Appellant no longer believes he can receive a fair, impartial judiciary in the State of Tennessee, which is dominated by the powerful, unrighteous, “private” child sex abuse influence of Christ Presbyterian Church, Covenant Presbyterian Church, the Nashville Presbytery, and Montgomery Bell Academy.

Most recently, Appellant made three requests for “oral arguments” in an open Tennessee judicial proceeding available to other citizen Appellants, but all three requests for “oral arguments” were denied by Tennessee Appellate Court judges who refuse to recuse, or to submit to Article VI Section 11 of the Tennessee Constitution, or to submit to Tennessee Supreme Court Rule 10B, or to submit to a recent Tennessee Supreme Court ruling rendered in “*Brice Cook vs. State of Tennessee.*” Exhibit 4.

In "*Brice Cook vs. State of Tennessee*," the Tennessee Supreme Court ruled that a Tennessee judge has an obligation to recuse himself or herself from a case if the judge's impartiality might reasonably be questioned, even if a litigant does not file a motion for recusal. Exhibit 4.

In a related John Perry child sex abuse cover-up case, Appellant was permitted to make "*oral arguments*" and the Honorable Andy D. Bennett wrote a minority opinion in favor of the Appellant about a "*recusal*" issue involving MBA Father and Davidson County Judge, Kelvin Jones, who is now under investigation by the Tennessee Bureau of Investigation. Exhibit 3. Exhibit 5

In the case now before the Honorable, Court, Appellant first requested his "*oral argument*" on Aug 7, 2020, when Appellant filed his written brief in a timely manner.

Seventeen months later, on Jan 21, 2021, Appellate Court Clerk James V. Hivner mailed the Appellant a notice stating: "This case has been docketed **as an on-briefs** case. You will receive another notice when an opinion is filed." Mr. Hivner's notice did not include the identity of the three judges assigned to the Appellant's secret panel, and the Appellant did not discover the identity of the 1st secret panel of appellate court judges until after the secret panel met about the Appellant's case on Feb 10, 2021. Exhibit 6 – Exhibit 9

On Feb 10, 2021, Appellant filed a "*difficult-to-write*" recusal motion to disqualify three unidentified members of the 1st secret panel of criminal appellate court judges, including one unidentified criminal appellate judge, Alan E. Glenn, who graduated from Montgomery Bell Academy. Exhibit 7.

On Feb 24, 2021, Presiding Judge John Everett Williams, a member of the 1st secret panel of unidentified judges, denied the Appellant's recusal request.

Presiding Judge John Everett Williams, and two other members of the 1st secret appellate court panel, Judge Robert W. Wedemeyer and Judge Alan E. Glenn, were all appointed by former Republican Gov. Don Sundquist. Exhibit 7

Appellant is very alarmed that Republican appointed Presiding Judge John Everett Williams committed an “*improper purpose*” on Feb 24th when Judge Williams issued a denied order to the great harm of the Appellant, and to the great benefit of the former Republican Gov. Bill Haslam, Attorney General Herbert Slatery, current Republican Gov. Bill Lee, protected child-molester John Perry, and Montgomery Bell Academy.

Appellant is further alarmed to learn that Judge Alan E. Glenn, a member of the 1st secret panel of judges, graduated from Montgomery Bell Academy (MBA). Appellant is a MBA Alumni Father who was wrongfully arrested on Oct 20, 2017 prior to the Brentwood Academy vs. MBA football game. MBA Headmaster Brad Gioia falsely reported the Appellant as a security threat to the MBA campus prior to the MBA spaghetti supper and high school football game. The false report against the Appellant was made by MBA Headmaster Brad Gioia after the Appellant provided truthful information to the MBA-BA communities about numerous mutual connections between the John Perry child sex abuse cover-up case, and the alleged gang rape lawsuit against Brentwood Academy. Appellant believes that the 1st secret panel of criminal court appellate judges is rigged and contaminated with Montgomery Bell Academy graduate, Judge Alan E. Glenn, just as the 1st secret grand jury that wrongfully indicted the Appellant was rigged and contaminated with Harpeth Hall Alumnae Relations Director Scottie Coombs. TR Vol 3 – Pgs 330 – 349. TE Vol 12. TE Vol 13. Exhibit 7

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On April 22, 2021, the Tennessee Supreme Court protected MBA graduate, Judge Alan E. Glenn. On Jan 23, 2021, MBA Alumni Father provided MBA-Harpeth Hall families with truthful information about a child sex abuse cover-up and the alleged gang rapes of a 6th grade Brentwood Academy student. In response, three messages were sent from the email account of MBA Father Billy Lyell to Austin Davis: “Hey m*****f***er, call me 615-300-**** ... But I bet you are too big of a p***y to call... You are a low life and need your ass kicked. Justice Cornelia Clark recused from the alleged BA gang rape case, but apparently did not recuse from the case involving Austin Davis. Austin Davis will never receive a fair, impartial judiciary in the State of Tennessee.

On March 3, 2021, Appellant filed a "*motion for court review*" and three new appellate court judges were assigned to the 2nd secret panel without disclosure and transparency to the Appellant. Exhibit 8.

The March 3rd motion included a sworn statement and exhibits about former Republican Gov. Bill Haslam, Attorney General Herbert Slatery, and a child sex abuse Mann Act Federal crime cover-up which is still on-going within the Tennessee Court of Criminal Appeals.

Despite the 2nd secret appellate court panel possessing truthful information about former Republican Gov. Bill Haslam, Attorney General Herbert Slatery, and a "*real-time*" Mann Act Federal crime cover-up taking place before the Tennessee Court of Criminal Appeals, all three appellate court judges on the secret panel made a decision to move forward with a significant judicial order without any disclosure to the Appellant, and they denied the Appellant's motion for court review on March 15, 2021.

The 2nd secret panel's judicial order of March 15, 2021, protected the "*improper purpose*" judicial order of Feb 24th made by Presiding Judge John Everett Williams, who is a member of the 1st secret appellate court panel and was appointed by former Republican Gov. Don Sundquist. The denied order of March 15th also protected another member of the 1st secret panel, Judge Alan E. Glenn, a graduate of Montgomery Bell Academy, an educational institution who initiated the retaliation arrest of the Appellant on Oct 20, 2017 to further silence, to discredit and to defame the Appellant to protect Billionaire Global Publishing Titan John Ingram, a board member during the Mann Act Federal crime cover-up at Montgomery Bell Academy and The Harpeth Hall School.

On or about, March 15, 2021, Appellant read the denied March 15th order and finally learned the identity of the 2nd secret appellate court panel which included: Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, Jr.. Exhibit 8

On March 18, 2021, Appellant filed a 2nd “*motion for court review*” in which Appellant addressed the five remaining members of the Court of Criminal Appeals who were not members of the 1st and 2nd secret appellate court panels.

Appellant provided additional detail and truthful information about former Republican Gov. Bill Haslam, Attorney General Herbert Slatery, Christ Presbyterian Church, and an on-going child sex abuse cover-up, and Appellant was alarmed to learn that the very same 2nd secret panel consisting of Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, Jr, denied the Appellant’s 2nd motion for court review on March 25, 2021.

Appellant was also alarmed to learn that Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, Jr., were all appointed to the Tennessee Court of Criminal Appeals by former Republican Gov. Bill Haslam, an active participant in the John Perry – Christ Presbyterian Church – Mann Act Federal crime cover-up. Exhibit 8.

Per the recusal standard set by “*Brice Cook vs. State of Tennessee,*” Appellant believes that all three Gov. Bill Haslam appointed judges should have voluntarily recused from the John Perry child-sex abuse cover-up case involving Republican Gov. Bill Haslam and Attorney General Herbert Slatery to permit the Appellant a fair, impartial judiciary in the State of Tennessee. Exhibit 4.

Per the recusal standard set by “*Brice Cook vs. State of Tennessee,*” the Tennessee Supreme Court confirmed that a judge has an obligation to recuse himself or herself from a case if the

judge's impartiality might reasonably be questioned, even if a litigant does not file a motion for recusal. Exhibit 4

On March 29, 2021, Appellant filed a new recusal motion and a 3rd "*motion for court review*" after Appellant discovered that Judges Timothy L. Easter, J. Ross Dyer, and Robert L. Holloway, Jr., were all appointed by former Republican Gov. Bill Haslam.

Appellant provided additional conflict of interest information about former Republican Gov. Bill Haslam, Republican Gov. Bill Lee, Attorney General Herbert Slatery, and Christ Presbyterian Church, but the very same secret panel consisting of Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, completely ignored the Appellant's recusal request as they denied the Appellant's 3rd motion for court review on April 14, 2021.

The secret panel which includes Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, did not write a response to the Appellant's recusal request, and the judges did not choose to voluntarily recuse from the Appellant's case to permit the Appellant a fair, impartial judiciary.

As a consequence of former Republican Gov. Bill Haslam's three appointed judges rendering three "*improper purpose*" rulings against the Appellant in a child sex abuse cover-up case connected to former Republican Gov. Bill Haslam and Montgomery Bell Academy, and as a consequence of the three judge panel denying the Appellant access to the remaining five judges on the Tennessee Court of Criminal Appeals, Appellant is now forced to write and file a "*recusal appeal from the court of criminal appeals*" for the Tennessee Supreme Court in a repeated attempt to obtain a fair, impartial judiciary.

Appellant's attempt to obtain a fair, impartial judiciary is clearly impossible since the secret three judge secret panel which will review the Appellant's case is clearly stacked with three

Republican appointed judges, including one judge, Alan E. Glenn, who is a graduate of Montgomery Bell Academy.

As previously stated, Appellant has encountered recusal issues before in related John Perry child sex abuse cover-up lawsuits which were all won by fraud and deceit before Tennessee Judges. Most recently, Appellant suffered tremendous damage via a significant “*recusal*” issue related to Montgomery Bell Academy and the John Perry child sex abuse cover-up case which resulted in a \$2.1 million judgment against the Appellant in a “*defamation – invasion of privacy*” lawsuit filed by child-molester John Perry’s attorney, Larry Crain (M2018--COA-R3-CV). TR Vol 3 – Pgs 330 – 349. Exhibit 5.

Tennessee Appellate Court Judge Andy D. Bennett wrote a minority legal opinion about the significant “*recusal*” issue which emphasized the importance of public trust in the Tennessee Judicial System and the need for judges to rigorously adhere to the Professional Code of Conduct (Case # M2018--COA-R3-CV): “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.” Exhibit 5.

The Honorable Andy D. Bennett also wrote about the importance of a fair, impartial trial: “The right to a fair trial before an impartial tribunal is a fundamental constitutional right... 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 when 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.’”

The Honorable Andy D. Bennett concluded: “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.” The Honorable Andy D. Bennett wrote the minority opinion about the Appellant’s critical recusal issue in a \$2.1 million default judgment against the Appellant which involved tainted orders made by MBA Father and Davidson County Judge, Kelvin Jones, who is now under investigation by the Tennessee Bureau of Investigation. Exhibit 3.

In the recusal motion now before the Honorable court, the Appellant has again encountered a significant recusal issue which reveals to the Appellant that he will never obtain a fair, impartial judiciary in the State of Tennessee because the Tennessee Judicial System has been rigged against the lowly Appellant to protect former Republican Gov. Bill Haslam, current Republican Gov. Bill Lee, and Tennessee Attorney General Slatery, and child-molester John Perry, who are all involved in a massive John Perry – Mann Act Federal crime cover-up connected to Christ Presbyterian Church, Covenant Presbyterian Church, the Nashville Presbytery, and the Montgomery Bell Academy – Harpeth Hall collaborative community.

Standard of Review

Appellant’s motion is genuinely being presented to seek a fair, independent, impartial, and open judiciary as promised by Article 1, Section 17 and Article 6, Section 11, of the Tennessee Constitution, and the 1st, 5th, 6th, and 14th Amendments of the U.S. Constitution.

Article VI, Section 11, of the Tennessee Constitution clearly states: “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...”

The Tennessee Supreme Court Code of Judicial Conduct, Rule 10, Preamble clearly states: “1) An independent, fair and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society...”

The Tennessee Supreme Court Code of Judicial Conduct Rule 10, Canon 1, clearly states: “A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”

On Aug 25, 2020, the Tennessee Supreme Court confirmed in “*Brice Cook vs. State of Tennessee*” that a judge has an obligation to recuse himself or herself from a case if the judge’s impartiality might reasonably be questioned, even if a litigant does not file a motion for recusal.

Judge Alan E. Glenn, Judge Timothy L. Easter, Judge Robert L. Holloway, Jr., and Judge J. Ross Dyer have clearly violated Rule 10, Canon 1, and the recusal standard set in “*Brice Cook vs. State of Tennessee*,” thereby protecting former Republican Gov. Bill Haslam and current Republican Gov. Bill Lee, which does tremendous damage to the public trust and integrity of the entire Tennessee Judicial System, just as imprisoned ex-Judge Casey Moreland did tremendous damage to the public trust and integrity of the entire Tennessee Judicial System, and just as the new TBI investigation of MBA Father and Davidson County Judge, Kelvin Jones, also does tremendous damage to the public trust and integrity of the entire Tennessee Judicial System.

Exhibit 3

Article I, Section 17 of the Tennessee Constitution states: “**That all courts shall be open...**”

||

April 22, 2021: The Tennessee Supreme Court protected Gov. Bill Haslam, Gov. Bill Lee, AG Herbert Slatery, child-molester John Perry, MBA graduate Judge Alan E. Glenn and many others. Three Haslam appointed justices apparently participated in the denied “*per curiam*” order without recusing: Chief Justice Jeffrey Bivins, Justice Holly Kirby, and Justice Roger Page. Justice Cornelia Clark also apparently participated even though Justice Clark recused from the alleged gang rape case of a 6th grade Brentwood Academy student. The BA case has numerous connections to MBA’s on-going participation in the John Perry –Mann Act Federal crime cover-up.

Judge Timothy L. Easter, Judge Robert L. Holloway, Jr., and Judge J. Ross Dyer, with their three denied orders of March 15th, March 25th, and April 14, 2021, clearly demonstrate with their prejudiced, partial rulings that they will not allow the Appellant to have a fair, impartial and open court in Tennessee, to the great harm of the innocent Appellant, and to the great benefit of former Republican Gov. Bill Haslam, current Republican Gov. Bill Lee, Attorney General Herbert Slatery, protected child-molester John Perry, and the Montgomery Bell Academy – Harpeth Hall collaborative community.

Law and Argument

The minority opinion of the Honorable Andy D. Bennett in the related John Perry - child sex abuse cover-up case (M2018--COA-R3-CV) is adopted and incorporated by reference as if the same were set forth herein verbatim. Exhibit 5

Appellant argues it is inherently unfair and prejudiced for Judge Alan E. Glenn, Judge John Everett Williams, Judge Robert W. Wedemeyer, Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway to be members of any secret panel during an on-going child sex abuse cover-up effort connected to former Republican Gov. Bill Haslam, current Republican Gov. Bill Lee, Attorney General Herbert Slatery, and protected child-molester John Perry, who all have personal connections to Christ Presbyterian Church, Covenant Presbyterian Church, and the MBA-Harpeth Hall collaborative community.

Appellant also argues it is inherently unfair and prejudiced for Tennessee Attorney General Herbert Slatery and Attorney General Slatery's giant army of government prosecutors to be anywhere near a "*malicious prosecution*" of the innocent Appellant since Attorney General Herbert Slatery is a long-time childhood friend and former counsel to former Republican Gov.

Bill Haslam, and is also a long-time friend with MBA Father and Covenant Pastor Billy Barnes, and is also a long-time friend with Christ Presbyterian Church Elder and MBA-Harpeth Hall Father Gif Thornton, and other leaders and individuals at Covenant Presbyterian Church, Christ Presbyterian Church, and the Montgomery Bell Academy – Harpeth Hall collaborative community.

Appellant also argues the issue of “*impartiality*” is critical and fundamental to both judges and prosecutors in establishing a fair, unbiased judiciary proceeding which can be trusted by all voting citizens and all taxpayers of Tennessee.

Under the Tennessee Supreme Court Code of Judicial Conduct Rule 10, Canon 2.11 (A): “[a] judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned.” Tenn. Sup Ct. R. 10. Canon 2.11 (A). A trial court should grant a recusal motion when “the judge has any doubt as to his or her ability to preside impartially in the case” or “when a person of ordinary prudence in the judge’s position, knowing all the facts known to the judge, would find a reasonable basis for questioning the judge’s impartiality.” *Davis vs. Liberty Mut. Ins. Co.*, 38, S.W.3d 560, 564-565 (Tenn 2001) (quoting *Alley v. State*, 882, S.W.2d 810, 820 (Tenn. Crim. App. 1994)). Therefore, even if a judge believes that he or she can be fair and impartial, the court should grant the motion for recusal when “the judge’s impartiality might be reasonably questioned” because “the appearance of bias is as injurious to the integrity of the judicial system as actual bias.” *Id.* (internal quotation omitted); see also *Bean vs. Bailey*, 280, S.W.3d 798, 805 (Tenn. 2009). A litigant has a fundamental right to have a case heard by fair and impartial judges. *Bean vs. Bailey*, 280, S.W.3d 798, 803, (Tenn. 2009).

Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, Jr., have clearly demonstrated that they will not allow the Appellant to freely enjoy his constitutional rights granted to him by the supreme authority of Article VI, Section 11, of the Tennessee Constitution, which clearly states that no Supreme or Inferior Court should preside on the trial of any cause in the event of which he may be interested except by consent of all the parties.

The impartiality, trustworthiness, and honesty of Tennessee judges is of paramount importance, but the integrity of government prosecutors is also considered to be critically important via Rule 2.15 B and D of the Tennessee Code of Judicial Conduct, Rule 10, which states: “A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority... A judge who receives information indicating a substantial likelihood that another lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action.”

Appellant is being double-teamed by prejudiced judges and a prejudiced Tennessee Attorney General to deny the Appellant his constitutional right to a fair, impartial, open, public, and honest prosecution and judiciary, for the personal and political benefit of former Republican Gov. Bill Haslam, who appointed Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, Jr, to the Tennessee Court of Criminal Appeals, and who also hired Mr. Herbert Slatery to be his legal counsel prior to Mr. Slatery’s appointment as Tennessee Attorney General by the Tennessee Supreme Court in Sept of 2014.

As a consequence, Appellant prayerfully petitions the Tennessee Supreme Court to exercise “*nostra sponte*” authority to protect the Constitutional rights of the Appellant, and to declare the innocence of the wrongfully convicted Appellant who has been maliciously

prosecuted instead of protected child-molester, John Perry, a co-author with former Republican Presidential Candidate Mike Huckabee, former Republican U.S. Alabama Senate Candidate Roy Moore, Rev. Franklin Graham, and possibly Republican President Donald J. Trump's first impeachment attorney, Jay Sekulow.

- I. The 2nd Secret Appellate Panel With Judges Appointed By Former Republican Gov. Bill Haslam Has Made Three Significant Rulings Which Are Tainted By A Conflict Of Interest With Former Republican Governor Bill Haslam, Tennessee Attorney General Herbert Slatery, and Current Republican Governor Bill Lee

Appellant has been denied a fair, impartial de novo review of his "*motion for court reviews*" by a secret panel of criminal appellate judges who were all appointed by former Republican Gov. Bill Haslam, a long-time participant in an on-going John Perry – Christ Presbyterian Church - Mann Act Federal crime cover-up.

Appellant was unable to make a recusal motion for the secret panel of criminal appellate court judges, Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, Jr., because the Appellant did not discover and was not provided the identity of the three judges until after the March 15th denied order ruling was provided to the Appellant.

Appellant argues that Gov. Bill Haslam's three judicial appointees, Judge Timothy L. Easter, Judge Robert L. Holloway, and Judge J. Ross Dyer, committed an "*improper purpose*" by remaining assigned to the 2nd secret appellate court panel to deny the Appellant's three "*motions for court review*" during a Mann Act Federal crime cover-up connected to former Republican Gov. Bill Haslam, current Republican Gov. Bill Lee, and Tennessee Attorney

General Herbert Slatery, who are well informed and still protecting child-molester John Perry. Protected child-molester, John Perry, committed child sex abuse crimes within the State of Tennessee and the statute of limitations is still running because of the on-going child sex abuse cover-up. John Perry also committed child sex abuse crimes beyond the State of Tennessee in violation of the Federal Mann Act which has no statute of limitations for child sex abuse across state lines.

A new Declaration of Willie Austin Davis is incorporated by reference as if the same were set forth herein verbatim. Exhibit 9.

Conclusion

For the reasons stated above, Appellant prays a new independent, fair and impartial appellate panel will exercise "*nostra sponte*" authority to protect the Appellant's Constitutional rights, to declare the innocence of the Appellant, and to protect the integrity of the Tennessee Judicial System. If the Tennessee Supreme Court is unable to faithfully execute its sworn duty to provide a lowly citizen with a fair, impartial judiciary in Tennessee, Appellant recommends for the Tennessee Supreme Court to review a provision in Article VI, Section 11 of the Tennessee Constitution which enables the Tennessee Legislature to appoint honest and trustworthy judges, prior to the Appellant seeking remedy in Federal Court.

Respectfully Submitted,



Willie Austin Davis - Citizen
P.O.Box 159153
Nashville, TN 37203
615-999-8190 fmdshiloh@aol.com

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 April 19, 2021, to the following parties:

Attorney General Herbert Slatery
General David Findley
Office of the Tennessee
Attorney General
301 6th Ave. North
Nashville, TN 37243



Willie Austin Davis, Citizen
P.O. Box 159153
Nashville, TN 37215
615-999-8190 fmdshiloh@aol.com

**IN THE TENNESSEE SUPREME COURT
AT NASHVILLE**

Willie Austin Davis

Defendant/Appellant

vs.

Case No. M2019-01852-CCA-R3-CD
Trial No. 2017-A-62

State of Tennessee

Plaintiff/Appellee

DECLARATION OF APPELLANT WILLIE AUSTIN DAVIS

1. I, Willie Austin Davis, am an adult citizen, and resident of Nashville, Tennessee and do make this declaration based on my own personal knowledge.
2. I am presently 65 years of age.
3. I am filing a recusal motion with the Tennessee Supreme Court to seek fairness and help from anyone in the Tennessee Judiciary or at the Tennessee Attorney General's Office, as a result of a child sex abuse Mann Act Federal crime cover-up which has demonized, defamed and damaged my family.
4. I am not filing the recusal motion for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
5. On Sept 11, 2018, I personally deposed child sex abuse therapist, Caroline Cone, under sworn oath during a deposition taken at the office of Attorney Larry Crain. Attorney Larry Crain represents protected child-molester John Perry, and John Perry's child sex abuse Victim 1, ██████████, aka, ██████████. The Caroline Cone deposition is included with recusal motion as Exhibit 1.
6. On March 14, 2016, I personally cross-examined child sex abuse therapist, Caroline Cone, under sworn testimony before Judge Kelvin Jones. I finally obtained a partial transcript of the sworn testimony of Caroline Cone on or about Nov 18, 2018, over a year after my criminal trial took place on Sept 11-12, 2017. The partial transcript of Caroline Cone's sworn testimony is included with the recusal motion as Exhibit 1.

7. On March 14, 2016, The Honorable Kelvin Jones personally heard the sworn testimony of John Perry's child sex abuse Victim 1, ██████████, aka, ██████████. Judge Jones wrote a 5-page order denying the requested injunction to silence me from exposing unrepentant child-molester John Perry. On page 2 of the Judge Jones order, Judge Jones wrote: "The Plaintiff testified that ██████████ was a victim of child molestation perpetrated by John Perry." The 5-page order written by Judge Jones is included with the recusal motion as Exhibit 1.

8. On Sept 27, 2018, The Honorable Thomas Brothers wrote a letter to DA Glenn Funk informing DA Funk that he had personally heard the sworn testimony of John Perry's child sex abuse Victim 1, ██████████, aka ██████████. Judge Brothers wrote: "The plaintiff testified under oath that ██████████ had been molested as a child by ██████████." DA Glenn Funk's prosecution team called John Perry's child sex abuse "myths" and a "red herring" during my criminal trial, even though John Perry's child sex abuse is a rock-solid fact backed up by sworn testimony from Victim 1, Ms. Caroline Cone, Mrs. John Perry, and many others who have been told about the child sex abuse. However, DA Glenn Funk stands firm behind the malicious prosecution of me to protect child-molester John Perry and a Mann Act Federal crime cover-up. Judge Brothers' letter to DA Glenn Funk is included with the recusal motion as Exhibit 1.

9. I personally researched, discovered and printed information about Caroline Cone, Gov. Bill Haslam, Gov. Bill Lee, First Lady Maria Lee, Attorney General Herbert Slatery, Gif Thornton, U. S. Sen Marsha Blackburn and Chuck Blackburn, Federal Judge Chip Campbell, and their connections to Christ Presbyterian Church, Covenant Presbyterian Church and the Nashville Presbytery. The information is included with the recusal motion as Exhibit 2.

10. I personally researched, discovered and printed information about Judge Kelvin Jones being investigated by the Tennessee Bureau of Investigations. The information is included as Exhibit 3.

11. I personally researched, discovered and printed information from the Tennessee Supreme Court web site about the Tennessee Supreme Court ruling in the "*Brice Cook vs. State of Tennessee*" case. The information is included as Exhibit 4.

12. I personally printed the minority opinion of Judge Andy D. Bennett in a related John Perry child sex abuse cover-up lawsuit. The information is included as Exhibit 5.

13. I personally received an "*on brief's case*" notice from Appellate Court Clerk James M. Hivner, on or about, Jan 22, 2021. I was never informed or discovered who was assigned as judges on my secret appellate court panel prior to my filing a recusal motion for the secret panel on Feb 10, 2021. Presiding Judge John Everett Williams denied the recusal request on Feb 22, 2021, but Judge John Everett Williams did not disclose to the Appellant that Judge Alan E. Glenn was a member of the secret appellate court panel. This morning I have learned that the secret appellate court panel is contaminated with the presence of a graduate of Montgomery Bell Academy, Judge Alan E. Glenn. MBA Headmaster Brad Gioia falsely reported me to Nashville Police as a security threat on Oct 20, 2017, in retaliation for me providing information to the MBA-Brentwood Academy communities about numerous connections between the John Perry child sex abuse cover-up case, and the lawsuit about the alleged gang rapes of a 6th grade student at Brentwood Academy. I was

jailed for 18 days to silence me and I was placed under a “no contact” order with the MBA community after MBA Headmaster Brad Gioia provided untrue testimony against me and my wife in court. The “on-brief notice” is included as Exhibit 6.

14. I personally researched, discovered and printed information about Judge John Everett Williams, Judge Alan E. Glenn, and Judge Robert W. Wedemeyer being appointed to the Tennessee Court of Criminal Appeals by former Republican Governor Don Sundquist. The information is included as Exhibit 7.

15. I personally researched, discovered and printed information about my first contaminated secret grand jury which included Harpeth Hall Alumnae Relations Director Scottie Coombs. I also personally researched, discovered and printed information about former Harpeth Hall Board Member, and current MBA Board Member, John Ingram. The information is included as Exhibit 7.

16. I personally researched, discovered and printed information about Judge Timothy L. Easter, Judge J. Ross Dyer, and Judge Robert L. Holloway, Jr., being appointed to the Tennessee Court of Criminal Appeals by former Republican Governor Bill Haslam. The information is included as Exhibit 8.

17. I provided a sworn declaration about all the exhibits included with the recusal motion. My sworn declaration is included with the recusal motion as Exhibit 9.

I declare under penalty of perjury that the foregoing is true and correct. Executed by me this 19th day of April, 2021.


Willie Austin Davis – Citizen Appellant

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Patti Rocha, a notary public in and for said County and State, the above-signed, Willie Austin Davis, and did make oath that the information contained in the foregoing document was true and correct to the best of his information, knowledge, and belief.

Sworn to and subscribed before me this 19th day of April, 2021.

Patti Rocha
Notary Public

My commission expires: 3-3-2025



See pages 24-25
of this transcript
for Mann Act Federal
crime.

9/19/18 2:41 P

RICHARD...
MISSING

FILED
JAN 22 2019
Clerk of the Appellate Courts
Rec'd By _____

VS

AUSTIN DAVIS

Deposition of

CAROLYN CONE

September 11, 2018

H
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Ex 1

vs AUSTIN DAVIS
Deposition of CAROLYN CONE on 09/11/2018

Page 2

1 AFFERRANCES:
 2 For the Plaintiff:
 3 MR. LARRY D. CRAIN
 4 Crain, Schuette & Associates
 5 [redacted] Maryland Way
 6 Suite [redacted]
 7 Brentwood, Tennessee 37027
 8 515.375.2600
 9 Larry@csafirm.com

For the Defendant:

10 MR. AUSTIN DAVIS, PRO SE
 11 5211 Park Avenue
 12 Nashville, Tennessee 37209
 13 valglenn1@aol.com

ALSO PRESENT:

14 Corrie Leigh Willis, Videographer

Page 4

1 I N D E X

2

3 EXAMINATION BY: PAGE:

4 MR. CRAIN 5

5 MR. DAVIS 21

6 E X H I B I T S

7 Exhibit 1 - Research brief entitled "Sexual
 8 Revictimization" 16

9 Exhibit 2 - Photograph of Carolyn Cone 13

10 Exhibit 3 - Cost sheet of psychotherapy for
 11 [redacted] 20

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Page 3

1 The videotaped deposition of CAROLYN CONE, taken
 2 on behalf of the Plaintiff, on September 11, 2018, at
 3 the offices of Crain, Schuette & Associates, .
 4 Maryland Way, Suite [redacted], Brentwood, Tennessee 37027,
 5 for all purposes under the Tennessee Rules of Civil
 6 Procedure.

7 The formalities as to caption, certificate, et
 8 cetera, are waived. All objections, except as to the
 9 form of the questions, are reserved to the hearing.

10 It is agreed that Ariela Pastal, being a
 11 Certified Court Reporter for the state of Tennessee,
 12 may swear the witness, and that the reading and
 13 signing of the completed deposition by the witness was
 14 not discussed.

15

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Page 5

1 THE VIDEOGRAPHER: Okay. This is the
 2 video deposition of Carolyn Cone on September the
 3 11th, 2018, at the time reflected on the screen, which
 4 is 13:14 p.m. The full introduction has been waived.
 5 Court reporter, would you please swear in the witness.
 6

7 CAROLYN CONE,
 8 was called as a witness, and after having been first
 9 duly sworn, testified as follows:
 10

11 E X A M I N A T I O N

12 BY MR. CRAIN:

13 Q. Good afternoon, Ms. Cone. I'm Larry Crain. I
 14 represent [redacted] in this case that's pending in
 15 the Circuit Court of Davidson County. With us today
 16 is the videographer and court reporter. Also
 17 Mr. Davis is joining us here today, and he'll have an
 18 opportunity after I'm done to certainly ask any
 19 questions that he may have.

20 This deposition is being taken for proof and
 21 will be introduced at the trial of this case later
 22 this month.

23 You understand that, right?

24 A. Yes, sir.

25 Q. And this is done because you are unable due to

Ex 1

vs AUSTIN DAVIS
Deposition of CAROLYN GONE on 09/11/2018

Page 22

1 Q. In the injunction hearing, [redacted] answered the
 2 question that [redacted] had been meeting with you for ten
 3 years, so that would take it back to 2006.
 4 Did you ever counsel with [redacted] before?
 5 A. No, sir, we started in April of 2008.
 6 Q. April 2008. Okay. And in the injunction
 7 hearing, you said that Larry Ferris was the one that
 8 contacted you from Covenant.
 9 A. Uh-huh.
 10 Q. So how did it all come about? What is it
 11 exactly that happened because you got contacted before
 12 and then met with [redacted] and [redacted] after?
 13 A. Well, so what happened is Mr. Ferris called me
 14 on the phone and said, "Hey, we have something that
 15 just came up in our church. Do you have room for a
 16 new client?" And I said, "Yes, I do." And he told me
 17 a little bit about what had happened. And so then we
 18 made the appointment, and who came to the first
 19 appointment was [redacted] and [redacted].
 20 Q. Do you know why he picked you as a person to
 21 contact?
 22 A. My understanding was that he called a friend
 23 of mine who is also a therapist, and she couldn't take
 24 them at first and gave him my name. And otherwise, I
 25 don't have any idea why I got the call.

Page 23

1 Q. Do you know any of the people that are over in
 2 Covenant in leadership?
 3 A. Do I now, or did I then?
 4 Q. Did you then?
 5 A. I knew Larry because he would frequently —
 6 actually, that was probably the beginning of me
 7 getting to know him and him referring clients to me.
 8 Q. Did you know Joe Eades who happened to be kind
 9 of in the mental health —
 10 A. I did not know Joe Eades. I did not know him.
 11 Q. Is Dr. Anderson Spickard — is he over at
 12 Vanderbilt in the area that you're in?
 13 A. Yes. Are you talking about Anderson Senior or
 14 are you talking about Anderson — are you talking
 15 about Andy Spickard or are you talking about
 16 Anderson —
 17 Q. The older, Anderson. The one that wrote the
 18 book, "Dying for a Drink."
 19 A. And so, was he over at Vanderbilt? What's —
 20 help me.
 21 Q. When you were at — I thought you said you
 22 were at the Center For Professional Health. Was that
 23 Vanderbilt?
 24 A. Yes.
 25 Q. And he's in that program or something; isn't

Page 24

1 he?
 2 A. Well, he was. He's not been in the program
 3 since I've been there.
 4 Q. He wasn't in the program back in 2008?
 5 A. Well, I don't know if he was there in 2008. I
 6 only started working there, I believe, in 2012 or so.
 7 Q. In the lawsuits, they've given the ages 11 and
 8 then they changed it; they went to 12. Do you know
 9 what the age was?
 10 A. I believe the age when [redacted] was first sexually
 11 abused — is that what you're asking me?
 12 Q. Uh-huh.
 13 A. Was 11.
 14 Q. Eleven? The lawsuit says — uses the word
 15 "incident," which seems to indicate it's only one
 16 time. Is it one time or is it multiple times?
 17 A. Multiple times.
 18 Q. Is it constrained just to Tennessee?
 19 A. No.
 20 Q. What other states?
 21 A. I'm not sure what other states there are, but
 22 I think some of the incidents occurred outside of the
 23 state of Tennessee.
 24 Q. Did [redacted] go over that or give you any
 25 information on those states, where it was?

Page 25

1 A. Yes, sir.
 2 Q. The reason I'm asking is because there's laws
 3 in different state and different statutes of
 4 limitations in other states, and so just curious if it
 5 got reported in the other states.
 6 A. Well so, let me talk a little bit about the
 7 whole concept of reporting. When the client came to
 8 me, [redacted] was 18 years old. And because [redacted] was
 9 18 years old, I actually didn't have to report it, but
 10 I did call DCS, and I said, "I have a child who was
 11 sexually abused as a minor, now [redacted]'s 18; what do I
 12 do?" And they said that they do not handle cases
 13 after a child turns 18.
 14 Q. So what happens to the child molester?
 15 MR. CRADY: Objection; calls for legal
 16 conclusion.
 17 You may answer, if you know.
 18 THE WITNESS: It would be up to the
 19 person who was sexually assaulted to bring charges.
 20 BY MR. DAVIS:
 21 Q. I mean, I'm not in this world, in this realm
 22 at all. I'm not trained; I'm not a professional.
 23 You're obviously a professional now trained in the
 24 medical world. I'm just an average person.
 25 Is child — and there are privileges that are

Ex 1

vs AUSTIN DAVIS
Deposition of CAROLYN CONE on 09/11/2018

1 thrown out, clergy privilege -- which I'm sure the
2 Catholic Church would like to be using a lot --
3 professional, and so I'm just curious with child
4 molesters, is it a private matter? Child sex abuse?
5 MR. CRAIN: Objection as to form.
6 THE WITNESS: I'm not sure what you're
7 asking.
8 BY MR. DAVIS:
9 Q. Is it a private matter? Is an adult sexually
10 abusing a child a private matter?
11 MR. CRAIN: Same objection.
12 THE WITNESS: So --
13 BY MR. DAVIS:
14 Q. Do you know if the victim was asleep or awake?
15 A. At different -- I think [redacted] was asleep at some
16 instances.
17 Q. The police refer to it as "sexual battery." I
18 don't know what all the qualifications are what makes
19 it sexual battery or what makes it something else as
20 far as those.
21 Do you know?
22 A. Uh-uh.
23 Q. Did [redacted] go over what it was that was done to
24 [redacted]?
25 A. Uh-huh.

1 me?
2 Q. One child is molested. Two friends are around
3 the molester, or somebody else who wants to cover that
4 up threatens the other two people not to talk about
5 it.
6 A. Are you asking for my opinion on that, or
7 what -- help me understand what you want me to answer.
8 Q. Well, we're talking about [redacted] and
9 what's going on with [redacted]. But in a case -- and he's
10 talking about publicity and the widespreadness and
11 making it known, but if there were threats made
12 against people or actions taken against people who
13 knew about the child sex abuse or the molester and
14 began trying to talk about it and they were threatened
15 as a result of that, are they victims? Are they not
16 victims?
17 A. I'm not --
18 MR. CRAIN: Let me object to the question
19 in that it calls for speculation.
20 You can answer.
21 THE WITNESS: So I'm not aware of any
22 threats related to this case.
23 BY MR. DAVIS:
24 Q. I remember in the injunction hearing, there
25 was a scale and you talked about [redacted] almost being

1 Q. Okay. You said you reported it to DCS. They
2 didn't keep a record or investigate?
3 A. No, because when I called and said to them I
4 have an 18-year-old child; [redacted] was molested as a
5 child, younger than age 18, they said that they don't
6 take reports on that. So...
7 Q. And you did that -- when did you make that
8 report or that call?
9 A. I made that call in April or May of 2008, as
10 soon as I had seen them once or twice and gotten a
11 handle on what exactly was going on.
12 Q. Was any other child sexually abused by John
13 Perry?
14 A. I have no idea.
15 Q. In the injunction hearing, I asked you about
16 John Perry's safe house, whether other children were
17 placed in 2002.
18 A. I don't know anything about that.
19 MR. CRAIN: I object to the relevance.
20 But you've answered the question.
21 BY MR. DAVIS:
22 Q. So you're mainly focused on a victim. Is
23 there ever a case where there's secondary victims in a
24 child sex abuse case?
25 A. Would you describe what you mean by that for

1 catastrophic when you met [redacted]. Now, this isn't
2 after I'm speaking out, but at that point in time, can
3 you go a little bit more into that, what -- how bad it
4 was when you first met [redacted] in April of 2008 when you
5 started talking to [redacted]?
6 A. So catastrophic is -- when we're talking about
7 this, we're talking about the DSM diagnosis. So it's
8 the Diagnostic and Statistical Manual of Mental
9 Disorders, that's what we call the DSM. At that time
10 it was the DSM-4, I believe. Now there's a DSM-5
11 that's out. But when you list the diagnosis, you have
12 an Axis I, an Axis II, an Axis III, an Axis IV, and an
13 Axis V. And on Axis IV, we code the psychosocial
14 stressors, and they range from mild, moderate, severe,
15 catastrophic.
16 And what I was saying back at the injunction
17 was the fact that [redacted] stressors appeared to be severe,
18 maybe even leaning toward catastrophic. In other
19 words, what happened when the abuse finally came out,
20 is everything blew up. And not only is all of --
21 this vulnerability and awareness that [redacted] had been
22 sexually abused laid open for everybody to see, but
23 the [redacted] also basically implodes. And then, you
24 know, there's issues with the church and all of that
25 kind of stuff. So [redacted] severe stressors were coded on

EX1

vs AUSTIN DAVIS
Deposition of CAROLYN CONE on 09/11/2018

Page 30

1 Axis IV as severe psychosocial stressors.

2 Q. You said [redacted] and [redacted] came to the first
3 visit. Did you counsel [redacted] and [redacted], or do you
4 counsel just [redacted] or —

5 A. Counseled them both together.

6 Q. Did you ever counsel [redacted] and John Perry?

7 A. Yes.

8 Q. So [redacted] and John Perry actually sat down and
9 had counseling with you?

10 A. Yes. It was appropriate.

11 Q. What does that mean that it's "appropriate"?

12 A. What it means is that through the process —
13 what's healthy if someone has been sexually abused, is
14 to be able to verbalize what's happened to them and
15 then to be able to tell the person who did that to
16 them what happened and what it meant to them. It's a
17 normal part of the progress in treatment, and that's
18 what happened.

19 Q. Did you counsel Charles Perry?

20 A. I was not an individual therapist for Charles.
21 Charles has been in a session or two.

22 Q. Did you — when they contacted you in
23 April 2008, did you help facilitate them going to PCS
24 in Arizona?

25 A. I did not. I may have suggested that that

Page 31

1 about April of 2008.

2 A. So you're asking me -- let me see I've got
3 this right -- if in April of 2008, I anticipated going
4 to court? Or what?

5 Q. Well, I'm saying that they contact you, you
6 said I don't know whether -- you don't really know the
7 nature of it. You start hearing whatever it is, what
8 you're being told.

9 To me, I'm a novice. You do this all day long
10 so everybody that comes to you -- you said 50 to
11 75 percent of your people are sexual trauma victims,
12 so that's your life; that's not mine. If I'm told
13 that, just like if I'm told there's a bank robber or
14 anything else, I might be going to the phone and
15 calling the police, and then headed into that realm.
16 And so I'm just asking, when you go over and
17 pick that phone up and make that phone call to DCS,
18 you obviously have come to a place where you think
19 it's serious enough that you're making a phone call to
20 the authorities.

21 A. Uh-huh.

22 Q. So do you have a lot of evidence at that point
23 in time? Have you sat down and spent a bunch of time?
24 I mean I'm just trying to figure out, did [redacted] say this
25 is all the times, these are the places, you've gone

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1 would be a good option, but they set it all up. I
2 believe John went and Susan Ann went.

3 Q. The reason I ask is because Vanderbilt has got
4 some kind of tied to PCS, so I thought that was --

5 A. I am not aware that Vanderbilt has any tie to
6 PCS. I don't know anything about that.

7 Q. Is that something that is normal? If there's
8 somebody, they're molesting children, is that a normal
9 thing that they would go to PCS and get treated?

10 A. It's a normal thing that they get treated.
11 Whether they use PCS or someone else, I mean that's up
12 to them.

13 Q. Do they get reported to law enforcement or
14 they just get treated?

15 A. Well, my understanding is that when the victim
16 is of a certain age and that would be 18 and older, it
17 is up to them to bring charges against the person who
18 victimized them.

19 Q. When you met with [redacted] and counseled [redacted], was
20 there ever any possibility that it was going to be --
21 I mean, you called DCS. So obviously, if you called
22 DCS, would they have -- would you have -- would there
23 have been any preparation during that that this might
24 go to the court or that we may be, you know, doing
25 anything with the police or with anybody? I'm talking

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1 through, and you're making the call or --

2 MR. CRAIN: Objection.
3 You can answer.

4 THE WITNESS: Typically -- I mean we had
5 just grazed the surface of what had happened, and we
6 had not gone into detail when I made the first call to
7 DCS to find out if this was reportable.

8 BY MR. DAVIS:
9 Q. Was the child molester sexually abused?
10 MR. CRAIN: Objection; irrelevant.
11 THE WITNESS: I don't know.

12 BY MR. DAVIS:
13 Q. What -- what is this class- -- is this a
14 mental illness? What is this?
15 A. What is -- what is what?
16 Q. Anyone that wants to go and -- go in the room
17 of a sleeping [redacted] or whatever, is 10, 11, 12 years
18 old, and molest them in the middle of the night or
19 whatever, is that a -- is that classified as a mental
20 illness? Is there something that the health officials
21 have put on this?
22 A. Well, so I mean are you asking me to get into
23 the origins of what would cause somebody to do that?
24 Q. Yeah, I think most people don't -- have a hard
25 time understanding that, and they can't get their mind

Ex 1

vs AUSTIN DAVIS
Deposition of CAROLYN CONE on 09/11/2018

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1 that you have.

2 Q. I don't have — oh, this exhibit?

3 A. Yeah. That was me testifying about [redacted], and

4 it has [redacted] name on it. My understanding is that

5 you're the one that posted that.

6 Q. It's got somebody blacked out here. I don't

7 know what it says.

8 MR. DAVIS: I think I've had enough.

9 MR. CRAIN: All right. I have no further

10 questions, and that will conclude the deposition.

11 THE VIDEOGRAPHER: Thank you. The time

12 is 2:00 p.m. We're off the record.

13 (Whereupon, the deposition

14 concluded at 2:00 p.m.)

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REPORTER'S CERTIFICATE

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2

3 STATE OF TENNESSEE

4 COUNTY OF DAVIDSON

5 I, ARIELA PASTEL, Licensed Court Reporter,

6 with offices in Nashville, Tennessee, hereby certify

7 that I reported the foregoing deposition of CAROLYN

8 CONE by machine shorthand to the best of my skills and

9 abilities, and thereafter the same was reduced to

10 typewritten form by me.

11 I further certify that I am not related to any

12 of the parties named herein, nor their counsel, and

13 have no interest, financial or otherwise, in the

14 outcome of the proceedings.

15

16

17

18 *Ariela Pastel*

19

20 ARIELA PASTEL, LCR

21 Licensed Court Reporter (TW)

22 LCR # 736 - Expires 5/30/15

23

24

25

EX

IN THE CIRCUIT COURT OF DAVIDSON COUNTY TENNESSEE

COPY

[REDACTED]

Plaintiff,

vs.

AUSTIN DAVIS,

Defendant.

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CASE NO.

16 [REDACTED]

Proceedings before the Court

March 14, 2016

EXCERPT: Testimony of Caroline Cone

Before: The Hon. Kelvin Jones, as Judge

Reported By: Priscilla Smith, LCR

A P P E A R A N C E S:

For the Plaintiff:

Mr. Larry Crain
Arena Law Firm, PC
[REDACTED] Maryland Way
Suite [REDACTED]
Brentwood, TN 37027

The Defendant:

Mr. Austin Davis appeared Pro Se

ALSO PRESENT:

[REDACTED]
MRS. DAVIS

I N D E X

WITNESS

CAROLINE POST CONE, MSN, APRN, BC
Direct Examination by Mr. Crain.....3
Cross Examination by Mr. Davis.....13

E X H I B I T S

No. 1 Report.....11

Reporter's Note: All proper names in the transcript are spelled phonetically, unless spelling is provided by counsel or witness.

1 CROSS EXAMINATION BY MR. DAVIS:

2 Q. Ms. Cone, did you say you had learned
3 about the child molestation in 2008?

4 A. Yes.

5 Good morning.

6 THE COURT: She said "good morning."

7 MR. DAVIS: "Good morning"?

8 THE COURT: "Good morning," to you.

9 Q. Oh, good morning. I asked a question.
10 Did you hear it?

11 A. Yes, sir. I answered it.

12 Q. So you learned about it in 2008?

13 A. Yes, sir.

14 Q. And what did you do?

15 A. What did I do with the information?

16 Q. Yeah.

17 A. Meaning, like, what -- did I contact?

18 Q. I just want to know what you did. Was it
19 a private thing at that point in time? Were
20 you -- I don't know; I'm not a counselor or
21 anything. I'm not a lawyer, so I'm just asking
22 questions.

23 Did you do anything, or did you just...

24 A. Sure. Yes, sir. My client, at the time,
25 was 18 years old, which is important to note. And

1 when [REDACTED] came, the church called, and it was a
2 crisis, and could I get [REDACTED] in fairly quickly, and
3 I said, absolutely. [REDACTED] came in quickly.

4 And then, because I was not sure of what
5 to do, I contacted the Department of Children's
6 Services and spoke with a representative there, and
7 what they said was that because [REDACTED] was now 18,
8 that it had left their office's abilities, and
9 so ---

10 Q. So when in 2008 did you first start
11 counseling [REDACTED]?

12 A. April.

13 Q. Or was it 2007, whenever it was?

14 A. It was 2008, and it was April.

15 Q. April. And so when the church calls you,
16 do you know who it was in the church that called
17 you?

18 A. One of the pastors.

19 Q. Do you remember who?

20 A. I believe it was Pastor Ferris.

21 Q. Pastor Larry Ferris? Pastor Larry Ferris
22 called you in April of 2008?

23 A. Yes, sir.

24 Q. Were, like, the parents back from TCS at
25 that time? Was it an active separation, or do you

1 know? Do you remember?

2 A. They hadn't separated yet.

3 Q. They hadn't separated. Okay. Well, they
4 separated on April 26th, is what the divorce
5 records say, so was it, like, in mid-April, maybe,
6 when they called?

7 A. Uh-huh.

8 Q. All right. Are you supposed to report it
9 to the DCS or police or anything?

10 A. If the child is under the age of 18.

11 Q. So there is no duty to report a child
12 molester if the statute of limitations is active or
13 running to 21?

14 A. So I did call and report the incident, and
15 they told me that it was not something that their
16 office handles once a child turns 18.

17 Q. You called DCS?

18 A. Yes. Yes, sir. I said that to you
19 earlier.

20 Q. Well, I called DCS, and they said it
21 hadn't been reported.

22 A. Well, I called them. I have
23 documentation.

24 Q. They have no record of it.

25 And then if it gets reported to DCS, then

1 DCS, I think, has to let the police know, and then
2 the police come and investigate.

3 A. My understanding, when I reported it, is
4 that they told me that they don't start working on
5 cases where children are the age of 18 or above.
6 That's my understanding.

7 Q. I'm not -- I mean, I'm just asking because
8 I don't know. This was all murky to me when I got
9 to it and did it. I'm just trying to figure out
10 what happened. Because I called them in 2012.

11 I went to the FBI, the US -- I didn't go
12 to the police, because I was too scared to go the
13 police, of course ---

14 THE COURT: Mr. Davis, if you could just
15 focus on the question. I know this is helpful
16 information for you, but just ask her
17 questions, if you would.

18 THE WITNESS: Would it be okay if I get
19 some water?

20 THE COURT: Yes, yes.

21 Q. (BY MR. DAVIS) So the police, the first
22 time you ever talked to any police was in 2013?

23 A. Correct.

24 Q. Are you sure about that? It's hard -- I
25 say "are you sure" because I reported this in

1 October of 2012. And the police brought me in on
2 December 5th. My wife -- there were eight police
3 officers there. High-level, all the way to the
4 top.

5 THE COURT: Mr. Davis, now, you're
6 testifying about your own experiences.

7 MR. DAVIS: Okay.

8 THE COURT: So just ask Ms. Cone about
9 her experiences.

10 MR. DAVIS: I may become a lawyer, if I
11 stay here long enough and you coach me. Okay.

12 Q. (BY MR. DAVIS) So the police told me, on
13 December 5, 2012, that the investigation was closed
14 and over and that they had already talked to
15 everybody. So could you think back a little bit
16 and see if it was sometime at the end of 2012,
17 maybe?

18 A. According to my records, I got a call in
19 July of 2013 by a detective who was researching the
20 case. That's what's documented in my records.

21 Q. Do you know who that was?

22 A. I don't. I have it written down, but I
23 don't know what detective it was. I met him in
24 person, I talked to him on the phone, he came to my
25 office, and the three of us had a conversation.

1 And I will say, sir, that that was
2 extremely traumatizing for my client.

3 Q. Okay, and so your testimony -- are you
4 saying -- I just want to be clear -- you're saying
5 I'm the one traumatizing your client?

6 A. Yes.

7 Q. Has the child molester, has he traumatized
8 your client?

9 MR. CRAIN: Objection, your Honor.
10 Irrelevant.

11 THE COURT: I will sustain the objection.

12 Obviously I think it's inherent in the
13 witness' testimony that the underlying event
14 was traumatizing, so -- and I think what she's
15 saying is that by you publishing information
16 regarding the incident, that when [REDACTED]
17 hears about it, it continues to traumatize
18 [REDACTED].

19 I think that's what she testified to.

20 THE WITNESS: Exactly.

21 THE COURT: I don't think she said that
22 you've intended to do anything, but she's
23 saying when [REDACTED] hears about it, it has a
24 traumatic effect.

25 THE WITNESS: I'm guessing that you care.

1 I'm guessing that you care and want the truth
2 to come out.

3 However, what ends up happening is, it
4 ends up backfiring, and [REDACTED] just really is
5 highly anxious, and the word is
6 "revictimized," every time something comes out
7 on BuzzFeed or something like that,

8 Q. (BY MR. DAVIS) So if, when I came forward
9 and brought it to people's attention in 2012 and
10 everybody who was involved had just said, yes, this
11 is what we did, then there wouldn't have been
12 anything traumatizing, is what I believe, possibly,
13 if people told the truth.

14 A. I don't believe I can speak to that.

15 THE COURT: That's your experience. She
16 can't -- she doesn't know anything about your
17 experience. So you're asking her to speculate
18 about something you did. She doesn't know
19 anything about that.

20 She only knows -- she's going to testify
21 to her experience. So when you say something
22 like that, and "I went to the folks in 2012,"
23 she doesn't know that.

24 MR. DAVIS: Okay.

25 THE COURT: So ask her questions.

1 Q. (BY MR. DAVIS) Who is the molester?

2 A. Who is the what?

3 Q. The molester. Do you know who the
4 molester was?

5 A. Yes, sir.

6 Q. Did you name him?

7 A. Yes, sir.

8 Q. Who is it?

9 A. John Perry.

10 Q. Do you know how many times?

11 A. How many times ---

12 THE COURT: I don't know how that's
13 relevant. How is that relevant? You asked
14 her a question.

15 MR. DAVIS: I thought she was a
16 psychologist.

17 THE COURT: How is that relevant?

18 THE WITNESS: May I say one thing?

19 MR. DAVIS: I asked her a question.
20 She's testifying as a psychiatrist or
21 whatever.

22 THE WITNESS: Hang on one minute. So my
23 understanding is that we're here to determine
24 whether the continued publicity around this
25 issue affects my client, which it really does,

1 but I will also say that the more details you
2 ask me related to [REDACTED] sexual abuse will
3 retraumatize [REDACTED] far more than some other
4 things have in the past year or so. And that
5 would be my concern as a clinician.

6 Q. (BY MR. DAVIS) It's relevant because
7 we're sitting here in 2016. Back in 2008, people
8 were discussing something, and I have a question I
9 want to ask you.

10 Do you practice relational restoration?

11 A. As an entity?

12 Q. As a counseling technique.

13 A. Yes, I don't know what that specific term
14 means, but if that needs to happen, then
15 absolutely.

16 Q. So when there -- a child's molested, is
17 relational restoration -- and the Presbyterian
18 Church of America has admitted that they did do for
19 a long time -- is that a technique where you sit
20 down with the victim and the person who did the
21 molesting and go over that in tremendous detail to
22 try to find out what he did?

23 A. Well, so it is not appropriate for every
24 relationship to be restored; it's just not. In
25 general population, mostly it is not appropriate.

1 Q. Was it used in this case?

2 A. I don't know in this case what the church
3 did with it. I only know from my perspective what
4 happened in counseling sessions.

5 Are you asking me about the church?

6 Q. Did you ever sit down with the parties
7 involved and go through that practice with them?

8 A. I sat down with the parties involved, and
9 the purpose was not relational restoration. The
10 purpose was disclosure and healing for my client
11 and also some -- it -- it is helpful when somebody
12 admits to harming you, in front of you.

13 Q. Does that ever backfire with anybody?
14 Does it ever hurt them? Is it ever traumatic for
15 them?

16 A. So are you asking if the process of
17 relational ---

18 Q. Is that done, like it would be, like, on a
19 high school coach and a 13-year-old girl, where the
20 school wanted to get them together, set them down
21 together and make sure that didn't happen, to try
22 to have the child reclaim something with the person
23 and still restore the gift that the person's
24 done -- no police involved or anything, but try to
25 work that out, is that something that -- does that

1 work all the time?

2 A. Well, are you asking based on my own
3 experience or ---

4 Q. I'm just asking -- because I'm not a
5 psychiatrist, or anything. I'm just asking, is
6 that a practice, and I'm wondering if it's
7 successful.

8 A. I really don't know. I really don't know
9 if that whole concept of relational restoration is
10 healing or helpful.

11 Q. Did you ever go to a counseling meeting at
12 the church or have a meeting at the church?

13 A. About this case?

14 Q. Yes.

15 A. No.

16 Q. Did you go up there as a member?

17 A. No, sir.

18 Q. Are you a member of the PCA?

19 A. Yes, sir.

20 Q. Which church?

21 MR. CRAIN: Object. How could that
22 possibly be relevant, what church she attends?

23 THE COURT: It's not relevant. Let's
24 move on.

25 Q. (BY MR. DAVIS) So when you called DCS,

1 they told you there was nothing that could be done?

2 MR. CRAIN: Objection, hearsay.

3 MR. DAVIS: Huh? .

4 THE COURT: She's already testified. Her
5 testimony was, she contacted DCS, and DCS
6 informed her that because [REDACTED] was 18, that
7 they don't handle those matters.

8 Q. (BY MR. DAVIS) Did you know other
9 children had been put in the molester's house back
10 in 2002?

11 A. Other children had been put ---

12 Q. Yes, the safe house, and there were other
13 children, put back in his house, little girls,
14 small kids.

15 A. I did not know that.

16 Q. Yes. That was done in 2002 ---

17 MR. CRAIN: Objection. That's testimony,
18 your Honor.

19 THE COURT: You're testifying. You're
20 trying to ---

21 MR. DAVIS: I'm not trying ---

22 THE COURT: You asked her a question:
23 Was she aware of a safe house back in 2002.
24 Her answer was no, she was not aware.

25 Then you said: Well, you know, it was

1 this, this was going on.

2 That's not -- ask a question.

3 Q. (BY MR. DAVIS) As a person that deals
4 with people who have been molested, is that a
5 concern to you?

6 A. That it was a safe house?

7 Q. No, that John Perry had children that the
8 church put in that house with him back at the same
9 time when the victim was being molested.

10 A. That would be a concern for me.

11 MR. DAVIS: Thank you.

12 THE COURT: All right. Anything else?

13 MR. CRAIN: No further questions.

14 THE COURT: Thank you. You're free to
15 go. All right.

16 (The witness was excused.)

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REPORTER'S CERTIFICATE

I, Priscilla Smith, Notary Public and
 Licensed Court Reporter in the State of Tennessee,
 do hereby certify that I was present at and did
 report, to the best of my skill and ability, by
 machine shorthand, all the proceedings in the
 foregoing excerpt, and that said excerpt is a true
 and accurate transcript of the proceedings to the
 best of my ability.

I further certify that I am not an attorney
 or counsel of any of the parties, nor a relative or
 employee of any attorney or counsel connected with
 the action, nor financially interested in the
 action.

SIGNED this 18th day of ~~October~~ ^{November} 2018, 2016.

Priscilla Smith

Priscilla Smith, LCR

LCR No. 600

Expires: ~~6/30/2018~~ 6/30/2020

Notary Public, Expiry December ~~5, 2016~~
 5 2020

IN THE EIGHTH CIRCUIT COURT OF DAVIDSON COUNTY
AT NASHVILLE, TENNESSEE

2016 MAR 14 PM 4:31
RICHARD R. ROEMER, CLERK

Plaintiff,
v.
AUSTIN DAVIS,
Defendant.

Case No. 16



ORDER DENYING PLAINTIFF'S REQUEST FOR A TEMPORARY INJUNCTION

This matter came to be heard on March 14, 2016 before the Honorable Kelvin D. Jones, III upon Plaintiff's Petition for a Temporary Injunction. The Plaintiff was represented by Attorney Larry Crain and the Defendant appeared *pro se*. Based upon the testimony of the parties and witnesses, the evidence presented, the arguments of counsel and the Defendant, the findings of facts and conclusions of law recited by this Court while rendering its opinion and the entire record, this Court finds that the temporary injunction should not be issued. The Court's ruling is based upon the following findings of facts and conclusions of law.

Findings of Fact

The Plaintiff filed [redacted] Verified Complaint on February 18, 2016. The Defendant was served on March 2, 2016. In [redacted] original Verified Complaint, the Plaintiff alleges four counts, two of which are causes of action for invasion of privacy. The Plaintiff did not bring a claim for defamation in [redacted] original Verified Complaint, but added that claim in an Amended Complaint that was filed on the morning of this hearing.

In [redacted] prayer for a temporary injunction, the Plaintiff specifically asks the Court to enjoin "the Defendant, and all those acting in concert with him, from publishing, disseminating, or posting on any social media or Internet site, or through the use of any written or digital media of

any type, any reference to any events allegedly taking place during the Plaintiff's childhood, whether the same are believed by the Defendant to be truthful or otherwise."

At today's hearing on March 14, 2016, the Plaintiff substantively argued that Defendant has defamed the Plaintiff by publishing and/or publicizing false statements regarding the Plaintiff's role in an alleged child-molestation cover up. The Plaintiff testified that the Defendant's prior statements regarding [REDACTED] role in the alleged cover up are false. The Defendant, on the other hand, contends that any statement made about a cover up, in which he alleges the Plaintiff was involved, are true. The Plaintiff testified that [REDACTED] was a victim of child molestation perpetrated by John Perry.

Conclusions of Law

The Plaintiff asks for a temporary injunction pursuant to Tennessee Rule of Civil Procedure 65.04. Under that Rule, the Plaintiff must clearly show that [REDACTED] rights are being or will be violated by an adverse party and that [REDACTED] will suffer immediate and irreparable harm in the absence of an injunction.

There are four factors for the Court to consider in deciding whether to grant injunctive relief in this case:

- (1) The Plaintiff's likelihood of success on the merits
- (2) Irreparable harm to Plaintiff that would result if the injunction is not granted
- (3) Potential harm to the Defendant if the injunction is granted
- (4) The public interest

Weighing all of these factors, the Court finds that the temporary injunction sought by the Plaintiff should not be granted.

With respect to the Plaintiff's likelihood of success on the merits, the Court notes that its evaluation of this factor is limited in that the Defendant did not have an adequate opportunity to

respond to the Plaintiff's claim for defamation, which Plaintiff substantively argued at today's hearing. Without adequate notice of this claim, the Defendant did not have an opportunity to call any witnesses or present other proof to rebut the Plaintiff's testimony that some of the Defendant's prior statements regarding [REDACTED] are false. Under these circumstances, the Court finds that the alleged falsity of the Defendant's statements is still in dispute.

For the Plaintiff's invasion of privacy claims, the Court finds that the United States Supreme Court case of *Cox Broadcasting v. Cohn*, 420 U.S. 469 (1975) is most on point. In that case, the father of a deceased rape victim brought action against a broadcasting company and others to recover damages for invasion of father's right to privacy, which invasion allegedly occurred when the broadcasting company, in contravention of a Georgia statute, identified the victim during television coverage of the trial of the alleged rapists. On appeal from a Georgia Supreme Court ruling which found that the Georgia statute did not conflict with the First Amendment, the U.S. Supreme Court reversed. In making its ruling, the Court observed that "the interests of privacy fade when the information involved already appears on public record, especially when viewed in terms of the First and Fourteenth Amendments and in light of the public interest . . ."

In the case at bar, there have been at least two global news outlets that have published stories identifying John Perry and his molestation of a young [REDACTED]. Plaintiff testified that [REDACTED] granted one of these outlets, *BuzzFeed*, an interview. There are numerous Court documents filed in connection with other lawsuits in which John Perry's commission of sexual molestation is referenced. In light of the case law and evidence presented at the hearing today, the Court cannot definitively find that the Plaintiff has a substantial likelihood of success on [REDACTED] invasion of privacy claims or [REDACTED] defamation claim.

E will
respond
at a
later time.

With respect to irreparable harm to the Plaintiff in the absence of an injunction, the Court finds that, most unfortunately, the Defendant's prior publicization has caused much harm to the Plaintiff by re-opening traumatic events from [redacted] childhood. The Court finds the Plaintiff's testimony that further publication of the event will continue to cause [redacted] harm to have been particularly moving. However, the Court must balance the harm to the Plaintiff with the potential harm to the Defendant in granting an injunction.

With respect to the potential harm to the Defendant if the injunction is granted, the Court notes that any such injunction against the Defendant would qualify as a prior restraint of the Defendant's speech. Tennessee and federal Courts have notoriously held that such prior restraints are strongly disfavored and, in the context of a defamation claim, are permissible only after a specific finding by the trial court that the Defendant's statements are false. *See In re Conservatorship of Turner*, 2014 WL 1901115 (Tenn. Ct. App. 2014). As discussed in the Court's evaluation of the first factor, the Court has not had an adequate opportunity to make such a finding. Accordingly, the Court finds that the potential harm to the Defendant – a prohibition of constitutionally protected speech – is grave.


Lastly, the Court similarly finds that the public interest resides primarily in the Court's observance and protection of constitutional rights. The Court does not intend for this finding to diminish in any way the Plaintiff's own compelling interest in preventing the unlawful publicization of [redacted] private life. However, as observed by the Supreme Court in the *Cox Broadcasting* case, the "the interests of privacy fade when the information involved already appears on public record, especially when viewed in terms of the First and Fourteenth Amendments and in light of the public interest"

Ex 1

Based on the foregoing, the Court respectfully DENIES the Plaintiff's petition for a temporary injunction.

It is so Ordered.

Entered this the 14th day of March, 2016.

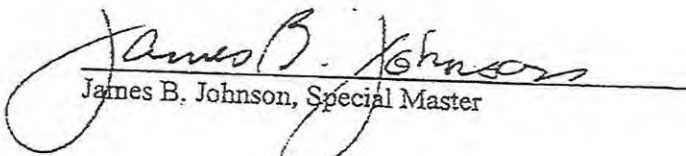

Kelvin D. Jones, III,
Judge, Eighth Circuit Court

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Memorandum and Order has been delivered via U.S. Mail on this the 14th day of March, 2016 to:

Larry I. Crain
Crain, Schuette & Associates
Maryland Way, Suite
Brentwood, Tennessee 37027
Attorney for the Plaintiff

Austin Davis, *pro se*
5211 Park Avenue
Nashville, TN 37209


James B. Johnson, Special Master



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 [REDACTED] 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 [REDACTED] 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,


Thomas W. Brothers

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

LARRY L. CRAIN
Attorney at Law



615.376
615.345 Fax
@
www.brent .com

June 2, 2009

Austin and Catherine Davis
5895 Willshire Drive
Nashville, TN 37215

*Re: Austin, Catherine and Daisy Davis v. Jim Bachmann, Worrick Robinson and
Covenant Presbyterian Church*

Dear Austin and Catherine,

It was my pleasure to meet with both of you today. I have since had an opportunity to review the documents that you left with me concerning your case.

The facts as related by you raise a host of legal and constitutional issues, all of which are complex in nature. It appears to me that you have sought repeatedly to resolve this matter following the admonition of the Holy Scriptures in 1 Corinthians: 6, Matthew: 18 and others. It is indeed unfortunate that your appeals to the ecclesiastical authorities of the church seem to have fallen on deaf ears. What is even more disturbing is the apparent pattern on the part of some church leaders within Covenant Presbyterian to use their political influence to try and intimidate you through the use of law enforcement and civil authority. This pattern opens the church and leadership to potential civil liability under such theories as invasion of privacy, defamation and for casting you in a false light.

Over the course of my thirty years practice I have specialized in representing churches and Christians in a wide spectrum of church/state issues. I have been on both sides of church discipline cases and will tell you that when civil courts become involved, these cases rapidly escalate into a warfare in which the casualty often is the reputation of Christians, particularly in the eyes of non-believers. It is for this reason that I must advise you to tread cautiously into your decision whether to bring any type of civil action against those who have usurped their role as church leaders, and I am convinced that you have prayerfully considered any such action.

I will continue to give this matter further thought and consideration as I review the documents that you have provided me. You should also be mindful of the fact that there is a one year statute of limitations which may expire as early as **June 27, 2009**; as to certain causes of action you may have against these defendants. This statute of limitations is, of course, tolled as to your daughter, Daisy, because of her minority status.

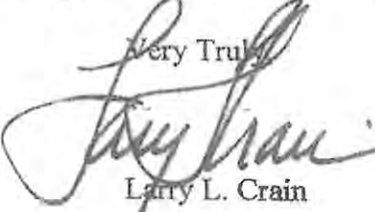
Maryland Way, Suite Brentwood, TN 37027

ADMITTED: VIRGINIA WASHINGTON D.C. TENNESSEE

Ex 1

Austin and Catherine Davis
6/2/09
Page 2

At this time, I am unable to commit to the filing of any civil action prior to the expiration of this statute of limitations. However, if after further review and consultation with you, I change my mind, I will certainly notify you. I remain

Very Truly

Larry L. Crain

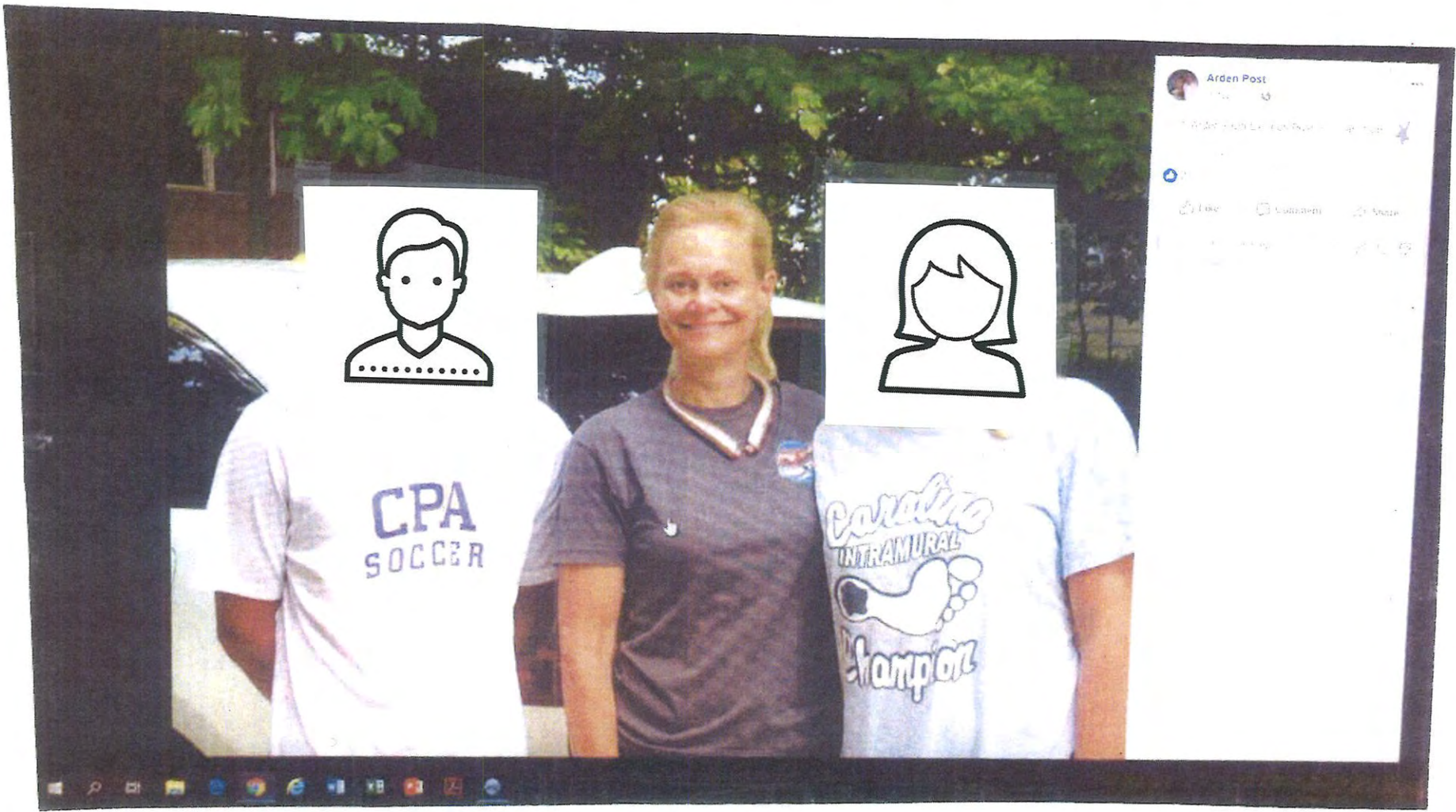
LLC/agc

In June 2009, Attorney Larry Crain rejected representing the Davis Family. In March 2016, Attorney Larry Crain chose to protect a Mann Act Federal crime cover-up by representing John Perry's child sex abuse Victim #1 in a \$3 million lawsuit against Austin Davis.

During a court hearing on March 10, 2016, Attorney Larry Crain sought an injunction to silence Austin Davis from exercising his First Amendment right to speak out about the John Perry child sex abuse cover-up. This hearing occurred about two weeks after Austin Davis informed GOP Presidential Candidate John Kasich about the child sex abuse cover-up during a televised C-Span town hall rally in Nashville.

In 2018, Attorney Larry Crain represented child-molester John Perry in a \$3 million lawsuit against Rev. Billy Graham's publisher, HarperCollins, during the same period of time when he was representing John Perry's child sex abuse Victim #1, and during the same period of time when he filed a \$1.5 million lawsuit against the mother of the alleged 6th grade Brentwood Academy gang rape victim. Child-molester John Perry lived, or still lives, approximately 12 houses away from the family of the alleged 6th grade Brentwood Academy gang rape victim.

Attorney Larry Crain is a long-time friend and former ACLJ senior counsel with Jay Sekulow, President Trump's 1st impeachment attorney. Attorney Larry Crain graduated from the Nashville School of Law. Attorney Jay Sekulow graduated from Mercer Law School. There is **NO** statute of limitations for child sex abuse across state lines under the Federal Mann Act.



Caroline Cone

~~Caroline Cone~~ Cone

✘ Christ Presbyterian Academy · Class of 2018 · Nashville, TN ✘

Claim Athlete

Caroline Cone – Expert Witness
Against Austin Davis -
Christ Presbyterian Academy
Alumni Mother

Ex 2

God's Tapestry

Written by [Joe Handley](#)

Published: 12 Apr 2019

Haslam on the mystery of God weaving together his tapestry of our lives



Most recently we had the privilege of interviewing [Governor Bill Haslam](#), who recently finished his term as Governor of the state of Tennessee. Pastor [Scott Sauls](#) from [Christ Presbyterian Church](#) in Nashville did a remarkable job of interviewing the Governor. And, the wisdom flowing from Governor Haslam was immense.

Here are a few brief video snapshots of our interview in which the Governor speaks about God's Tapestry. I'm sure you'll enjoy watching these brief clips and learning from them.

The full video interview will be used for our leadership development sessions in Asia as so many would be eager to hear from Governor Haslam's wisdom.

PART 1: Bill Haslam shares about the mystery of God weaving together his tapestry of our lives. Watch this clip on YouTube: <https://youtu.be/Obn-ecyIOw4>

PART 2: Gov. Haslam shares that we need time to see God's faithfulness over the years—to get a glimpse of the tapestry that God is weaving from our life.

Watch this clip on YouTube: <https://youtu.be/SxZ0egcGZJA>

[Joe Handley](#) - President at [A2.business](#)

Ex 2

Prayer, gospel music precede Haslam inauguration

Dave Boucher and Jason Gonzales

Published 1:27 p.m. ET Jan. 17, 2015

The Tennessean

Prayer and music filled Ryman Auditorium Saturday morning as several hundred people attended a worship service ahead of the inauguration of Gov. Bill Haslam.

Haslam, the 49th governor of Tennessee, easily won re-election in November. The Knoxville Republican opted for a Christian prayer service that included Bible readings chosen all by the governor, said Steve Chesney, regional director for Young Tennessee Life.

"You're final legacy, more than the things you accomplish, will be the man you become," said Scott Sauls, pastor at the Christ Presbyterian Church in Nashville.

"That's going to be your legacy, more than any other legacy, is the good work that God accomplishes in you."

Tennessee legislative leaders Lt. Gov. Ron Ramsey, House Speaker Beth Harwell and others read verses from the Bible in between gospel songs from stars of the genre.

"Well I don't get up this early for anybody, but I wanted to for governor and Mrs. Haslam. They're so special," said Skaggs, a bluegrass and country music star, before singing "Somebody's Praying."



Other musical guest included country music star Amy Grant, Nashville Christian Rock band "Jars of Clay," and renowned gospel singer Nicole C. Mullen.

Haslam's father Jim Haslam, founder of the family's Pilot Corp. and a political fundraiser, and the governor's son William also read passages from the Bible.

Sitting in the crowd at the Ryman for the prayer service for Gov. Haslam's inauguration were about 100 attendees who listened to the performances and speakers and, at times, prayed along with the service.

While most were concentrated on center stage, one toddler and mother found it hard to sit through the 90 minute ceremony.

Kaleigh Black and her husband Michael considered leaving their daughter Caroline, 2, at home for the day but decided even if the child might not remember the event, the prayer service for Gov. Haslam's second term inauguration was far too special to keep her away.

"You don't get this opportunity often and we won't get this opportunity again," said Black, who works for Gov. Bill Haslam's administration. The family will move to Dallas in February, ending four years of service with Haslam. "It's important for us, and for her, to be a part of this."

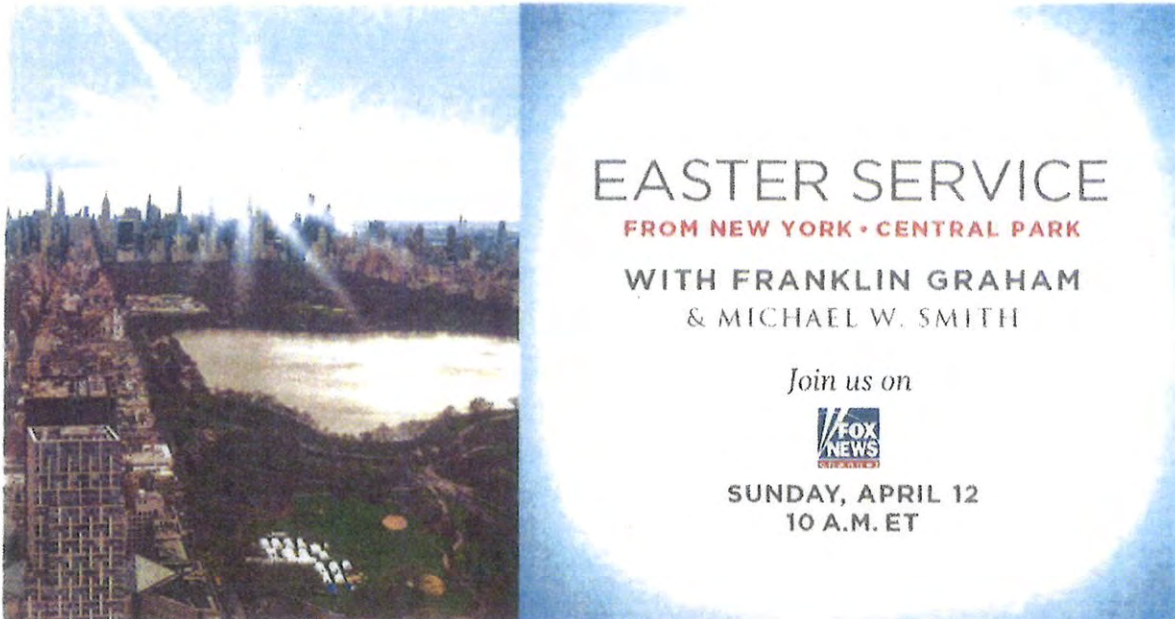
One day Black will be able to tell her daughter of this day. The story will likely begin with the angelic singing of the choir, the 100 or so people in attendance, or the prayers and words said in honor of the man her mother says she admires.

Or maybe it will begin with the blonde haired girl with a giant red bow in her hair, partly stealing the show from her mother's boss as she walked about the aisles of the Ryman Auditorium.

"It's hard to blend in when you have a 2-year-old," Black said.

After the service the leaders headed to the Legislative Plaza for Haslam's official inauguration. It's a joint convention of the state House and Senate.


Easter 2020 – Gov. Bill Lee continues to ignore a banned and molested victim.



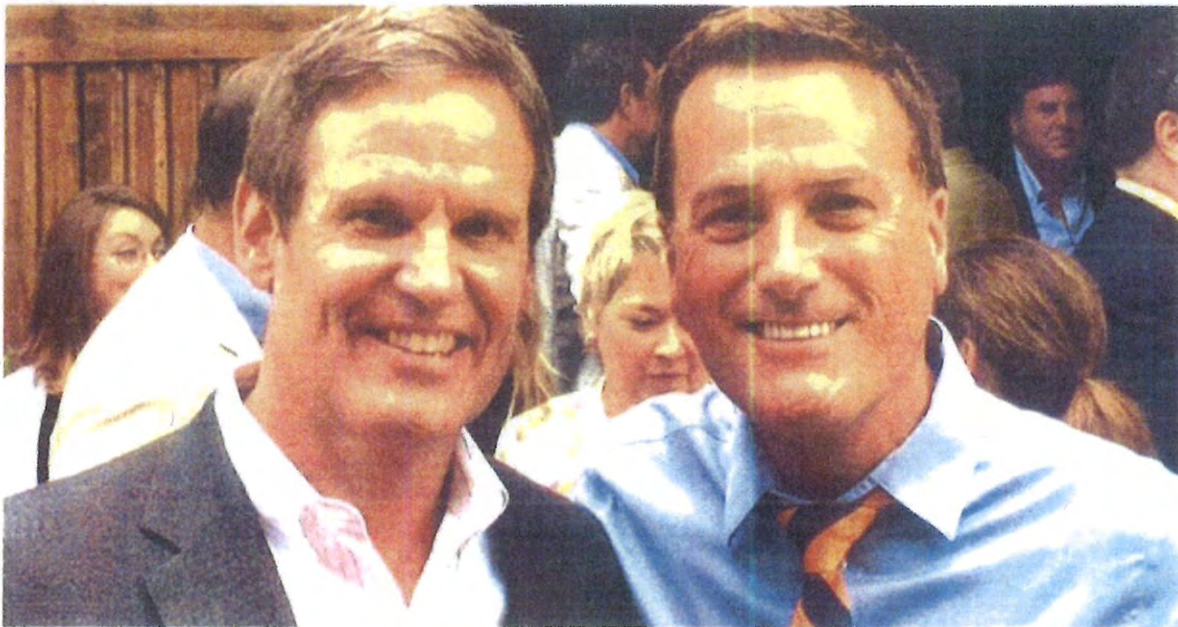
The graphic is split into two sections. The left section shows an aerial view of Central Park in New York City, with the Hudson River and the city skyline in the background. The right section is a white circle on a blue background containing the following text:

EASTER SERVICE
FROM NEW YORK • CENTRAL PARK
WITH FRANKLIN GRAHAM
& MICHAEL W. SMITH

Join us on



SUNDAY, APRIL 12
10 A.M. ET



Tennessee Gov. Bill Lee

Michael W. Smith

Does Michael W. Smith support “private” child sex abuse in Tennessee?

Governor and First Lady Lee



50th Governor of Tennessee, Bill Lee



First Lady Maria Lee

As a seventh-generation Tennessean, Bill's roots run deep in this state. He was raised in Franklin where he still resides today with his wife Maria on his family's farm. He's the proud father of four adult children (Jessica, twin sons Jacob and Caleb, and Sarah Kate) and five grandchildren.

After attending Williamson County Schools, Bill went to Auburn University, where he studied Mechanical Engineering. When he graduated, he returned home to Franklin to join the family business his grandfather started in 1944. Through hard work, Bill learned what it takes to lead a company, doing what is necessary to help build a business and create jobs. He held several roles at Lee Company before becoming President of the company in 1992.

Under Bill's leadership, the company grew into a comprehensive facilities solutions and home services company. It now employs more than 1,200 individuals and it has won numerous awards for work culture and business accomplishments. Bill was named a "Most Admired CEO" in 2015 by the Nashville Business Journal.

Bill has said throughout his campaign that he woke up every morning focused on how to make life better for his employees, and now he's excited to get to work to wake up every morning trying to improve the lives of 6.5 million Tennesseans. As Governor, Bill is focused on several priorities including good jobs, great schools, and safe neighborhoods so we can keep Tennessee moving in the right direction. Tennessee is one of the best places in the country to live and work, and he is going to work hard every day to try to make life even better.

Maria was raised in Silver Spring, Maryland and attended the University of Maryland, where she studied Elementary Education. It was her passion for service that brought her to Tennessee to lead girls in a discipleship group within the youth ministry at Christ Presbyterian Church. She stayed in Tennessee to become a third and fourth grade teacher. Maria and Bill were married in 2008.

Bill and Maria are people of strong faith. They are active in Grace Chapel Church and in numerous faith-based ministries, which have taken them all over the world to serve people in need, including to Africa, Central America, and the Middle East.

Please visit the following websites for more information:

Governor Bill Lee; www.tn.gov/governor/about-bill-lee

First Lady Maria Lee; www.tn.gov/firstlady

Governor Bill Lee speaks of personal hardships and faith at Christ Presbyterian Academy

- By alexander.willis - Apr 5, 2019 Updated Oct 15, 2019



By David Walsh

Photo courtesy of First Presbyterian Academy

By ALEXANDER WILLIS

“Blessed are those who mourn, for they shall be comforted.”

The words of scripture Matthew 5:4 can be difficult for those in grief to truly grasp and live by, but if any one person best exemplifies these words, it might just be Tennessee’s current governor, Governor Bill Lee.

Lee, who’s experienced his own intense periods of mourning, came to speak Thursday at the Christ Presbyterian Academy (CPA) just outside of Brentwood about his life’s challenges, and how he managed to come out a better person because of them. Lee also had a lot to say about the academy itself, which had played a major role in his life.

"I have rich, deep, bitter-sweet memories of this building," Lee said. "This place occupied a large piece of my life, and it's weird to drive up to CPA and know there's people there that don't even know who our family is, and yet there are people sitting in pews that have known me since I was a child."

All of Lee's four children attended CPA; Jessica, Sarah, and twins Caleb and Jacob, with his youngest child graduating just five years ago. It was also at CPA where Lee would meet his future wife and current First Lady of Tennessee, Maria Lee, who was a substitute teacher at the academy, and who would also quickly become a favorite of Lee's boys.

In the late 90s, Lee had been running a business, was married to his first wife, Carol Ann Lee, had children, and described his life as perfect.

"Certainly my life is bitter-sweet, I used that word a few minutes ago," Lee said. "I lived a life that most men dreamed of; I went to college, met my soon-to-be wife and married, started having children, loved the Lord with all my heart, had a beautiful family, a beautiful house, beautiful life and a great job."

It would be in the year 2000 when tragedy struck Lee's family. Carol, an avid horse rider, suffered an accident one day that would change the Lee family's future forever.

"I was home and I found her, and she was lifelined, and she died four days later," Lee said. "Interestingly, probably seven years before that, we had had a baby that died the day she was born – Cynthia Kate – and I remember when that happened, Carol Ann had gone on a walk down the road, she came back up and she said 'the Lord spoke to me, and he told me I've been chosen.' I will never forget that, I remember sitting there saying 'what do you mean by that?' She [said] 'I don't know, I just think he says I've been chosen, chosen to experience something most people don't.'"

"I remember driving down Old Hickory Boulevard right after Carol Ann died, and I thought, 'oh my god, I've been chosen,' and I remembered that conversation that we had," Lee continued. "It started this whole process in me about this thing that had happened to me, [and] this process that was happening to me in the meantime."

This wouldn't be the end of tragedy striking Lee, who after losing his wife, would almost lose another family member.

"My oldest daughter, who went through a lot of trauma through losing her mom, got up from school and drove home and put a gun to her head and shot herself," Lee said. "It didn't kill her, and that phone call was maybe more traumatic than the moment that I found out that Carol Ann was being lifelined."

He added, "...soon after that, my business just about went bankrupt. Four years earlier I have [had] a life that most men only dream of, and suddenly I found myself thinking 'gosh, this life is a nightmare.' But all the while, there really was something profoundly remarkable happening to me about my perspective of life; what matters and what doesn't, what's important and what's not. A lot of times, people's experiences like that will make them really question everything about the lord, and somehow for me, by his grace, it just caused me to go much deeper with him."

It was during this time of tragedy that the First Presbyterian Church helped console Lee's family, something Lee said had it not been for that, he would not have been where he was today.

"There are certainly several people in this room for whom I would not be here today, except for you," Lee said, scanning the pews across CPA's worship center. "I asked if I could have [Marie] as my fourth grade boys' teacher because Carol Ann died in between third and fourth grade, and she had been Caleb's teacher and he loved her so much. I needed them to be in the same class, I just needed to have teachers that were going to love my kids and that I could trust. I said 'can I have [Marie] in fourth grade, and can she have both of my boys?' The school said you can have whatever you want."

"To moms in this school that made dinner for me and my kids for two years – for two years, I had dinner brought to my house, and delivered for me and my kids," Lee continued. "They always had a place to spend the night... the camps, my children lived at the camps. This community was remarkable to my family and to my children, my children wouldn't be where they are today, I wouldn't be sitting here where I was today, because part of that redemptive story was what happens when the body of Christ functions like the body of Christ."

Ex 2

Also sitting with Lee at CPA was Tennessee's Finance Commissioner Stuart McWhorter, a longtime friend of Lee's. McWhorter also asked Lee to describe how his experience as governor has been, something Lee called "surreal."

"It is still very surreal in a lot of ways, I still can hardly believe it sometimes," Lee said. "I signed a bill today and I took out the pen, and there it said 'Governor Bill Lee,' and I look at it and I'm like, 'Wow, has that really happened, do I sign there?' It's a very sobering feeling."

While Lee said he was no stranger to the shock and awe that comes with serving in such a responsibility-laden position, what most excited him were the practical and real-world changes he had been able to be a part of implementing in the state, such as further supporting the Tennessee Suicide Prevention Network, or funding the Behavioral Health Care Safety Net.

"My first executive order was to strengthen the economies of rural Tennessee, executive order number one," Lee said. "How cool that was for me to be able to do that, and actually execute on something that I think is important to Tennesseans. We produced the Governor's Investment and Vocational Education Act, the Give Act, [which] provides dual credit for kids that are in vocational, technical and agricultural tracts, and it sets up hundreds [of] CTE (career technical education) programs around the state. What an incredible privilege it is to be able to be engaged in things that are going to change people's lives for good."

Lee's speech ended with Lee, McWhorter, Lee's family, and all those in attendance bowing their heads, and joining together in prayer.

"I have a belief that if the body of Christ functioned like the body of Christ should function across the state of Tennessee, half [of these] challenges we face in this state would disappear," Lee said. "If the body of Christ functioned like CPA's body of Christ functioned when I went through the most traumatic moments of my life, then this state would shine like a bright star in the country, and I think it can. I do believe it will, and can."

EX 2



<https://www.blackburn.senate.gov/about-marsha>

U.S. Senator Marsha Blackburn was sworn in to the Senate in January 2019.

Marsha Blackburn was elected to the U.S. Senate in 2018, and is currently serving her first term representing the state of Tennessee. Before her election to the Senate, Marsha represented Tennessee's 7th Congressional District.

Marsha's public service is dedicated to promoting opportunities for women and making America a more prosperous place to live. Marsha's leadership philosophy is based on her experiences in the private sector as a small business woman and author, as well as being a mother and grandmother.

Marsha went to college on a 4-H scholarship and worked her way through school selling books for the Southwestern Company as one of their first female sales associates, and later as one of their first female sales managers.

She then became Director of Retail Fashion and Special Events for the Castner Knott Company, which was a Nashville-based regional department store. Later, Marsha founded her own business, Marketing Strategies, which focused on the retail marketplace, as well as electronic and print media.

Marsha began her career in public service in 1995 when she was named executive director of the Tennessee Film, Entertainment, and Music Commission. In 1998, she was elected to the Tennessee State Senate. In the state legislature, she earned a reputation for fiscal responsibility and government accountability by identifying waste and offering realistic solutions to Tennessee's budget challenges.

While serving in the Tennessee Senate, Marsha led a statewide grassroots campaign to defeat a proposed state income tax. The tax was defeated, and Marsha's leadership earned her a reputation as an anti-tax champion. In 2014, the people of Tennessee passed an amendment to the state constitution to expressly prohibit a state income tax – a fitting cap to a 14-year battle.

In 2002, Marsha was elected to represent the people of Tennessee's 7th Congressional District based on her record in the state legislature. She brought her Tennessee values to Washington, DC, and became a leader in the fight for small, efficient federal government that is accountable to its citizens. As a Congressman, Marsha was often selected by her colleagues to lead the charge for principled conservatism. Her congressional career was also noted for her Chairmanship of the Energy and Commerce Committee's Subcommittee on Communications and Technology, as well as bipartisan expertise in defending songwriters' and performers' rights.

Marsha is a member of numerous charitable organizations and is an active member of her church, Christ Presbyterian. Marsha and her husband Chuck live in Williamson County, Tennessee. They have two children, Mary Morgan (Paul) Ketchel and Chad (Hillary) Blackburn, and two grandsons. Originally from Laurel, Mississippi, Marsha is a graduate of Mississippi State University.

X

X

Ex 2

The following men serve as ordained Deacons. To reach a deacon, email deacons@christpres.org:

- | | |
|------------------------|-------------------------|
| IV Acres | Mike Mitchell |
| Jimmy Armistead | Jim Murphy |
| * Chuck Blackburn * | Nathan Murrell (Chair) |
| George Brantly | Scott Orman |
| Gene Carlton | Mark Petty (Vice-Chair) |
| Alec Dryden | Joshua Raymond |
| Jim Easterling (Clerk) | Carl Sanders |
| Todd Foster | Nathan Shideler |
| Rodney Franz | Prentice Stabler |
| Greg Funk | Stayko Staykov |
| Dante Graves | Jeff Stevenson |
| Scott Greenwood | Matt Walker |
| Randy Hill | David Watson |
| Steve Laughbaum | Trael Webb |
| Mark Littlejohn | Scott Wheatley |
| Rick Loyd | |
| Nathan McCrina | Sabbatical |
| Michael McKerley | Daniel Beasley |
| | Steve Jackson |
| | Pat McFadden |
| | Mike Norton |

DEACONESSES

The following women serve as commissioned Deaconesses. To reach a deaconess, email deacons@christpres.org.

EX 2

Inspire Nashville



Herbert and Cary Slatery, Margaret Spickard, Scott and Patti Sauls, Sylvia and Troy Tomlinson, Jeannine and Greg Adams, Crissy Haslam, Gif and Anna Thornton



Inspire Nashville honored Sony/ATV Publishing's Troy Tomlinson on at



Privacy - Terms

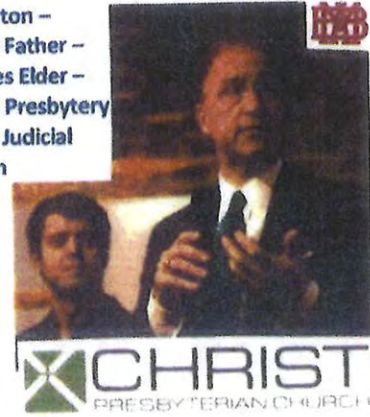




Easter 2021 – Tennessee Attorney General Herbert Slatery and Christ Presbyterian Elder Gif Thornton continue to protect CPA Alumni father, John Perry, and a Mann Act Federal crime cover-up.

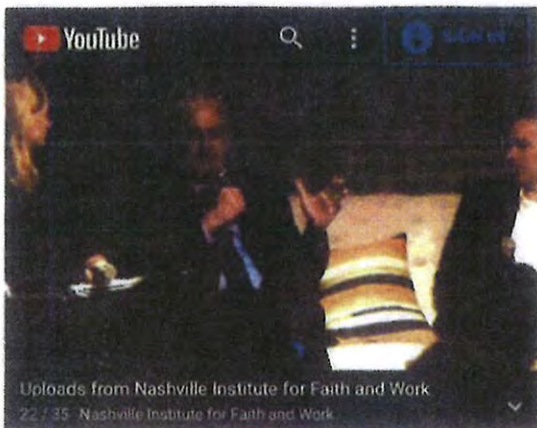
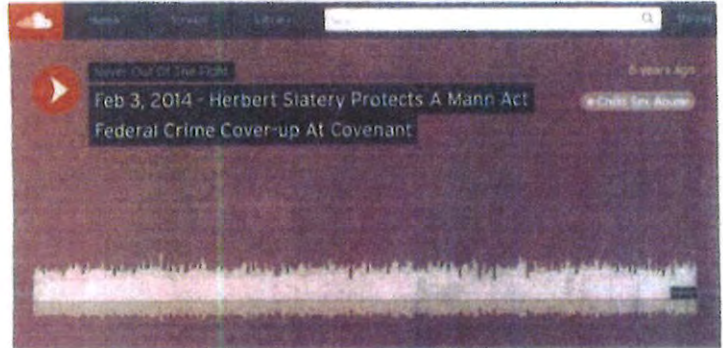


**Gif Thornton –
MBA/HH Father –
Christ Pres Elder –
Nashville Presbytery
Standing Judicial
Chairman**



Troy Tomlinson and Bill Lee—Faith & Work Summit 2016

Feb 3, 2014 – Soundcloud recording - Herb Slatery spoke at Covenant in support of Covenant Leaders protecting PCA child-molester John Perry.



Davidson County Sheriff Daron Hall on incarceration, dream of jail system

TN Attorney General Herbert Slatery



Attorney General Slatery's Office is prosecuting Austin Davis in the criminal appeal.

Gif Thornton to Chair Tennessee Governor's Council for Judicial
Appointments
February 22, 2019

Gov. Bill Lee Announces New Members of the Governor's Council for Judicial Appointments

Gov. Lee appoints four to council for judicial appointments

Thursday, February 21, 2019 | 10:03am

NASHVILLE, Tenn. – Today, Tennessee Governor Bill Lee announced four new members to the Governor's Council for Judicial Appointments which is responsible for recommending candidates to the governor to fill vacancies for Tennessee's appellate courts.

"The Council for Judicial Appointments reflects some of the brightest legal minds in our state," said Lee. "The work they do to ensure we have the most qualified candidates is vital to the health of our justice system."

The council includes three members from each of the Grand Divisions and two at-large members. Gif Thornton **of Nashville, who is currently the managing partner at Adams and Reese, LLP will chair the council.**

Additional new members include:

- **David McKinney** of Memphis, who is currently the Vice President of Government Relations for AutoZone, Inc.
- **Jody Pickens** of Jackson, who is currently the District Attorney General for the 26th Judicial District
- **Charles Tuggle** of Memphis, who is currently the General Counsel for First Horizon National Corp.

Current members of the council, including **George Brown, Sarah K. Campbell, David Golden, Rosemarie Hill, Michelle Long and Cheryl Rice**, will continue to serve.

Faculty Profile: Gif Thornton, Jr.



Gif Thornton, Jr. Adams and Reese LLP 424 Church St Suite 2700 Nashville, TN 37219 Work Phone: (615) 259-1492 Email Address: gif.thornton@arlaw.com

Previous Courses Taught (7)

- The Ethical Campaign: The Ethics of Lobbying
- The Ethical Campaign: The Ethics of Campaign Finance and Compliance
- The Ethical Campaign
- The Ethical Campaign: Campaign Finance Compliance
- The Ethical Campaign: Maintaining Ethics and Professionalism in Elections
- The Ethical Campaign: Finance Compliance
- The Ethical Campaign

Biography

Gif Thornton became Managing Partner of the firm in March of 2015. He serves as legislative counsel to a number of businesses, trade associations and governmental entities with interests before Tennessee state government. In addition, he represents clients before regulatory boards and administrative agencies of local, state and federal government. He has extensive experience in the areas of education, energy, health care, insurance, technology, transportation and utilities. His other significant contributions include: Named as the highest ranked lawyer/lobbyist on the Power 100 list of influential people in Tennessee, compiled annually by Business TN®. Named as Best Lawyers® "Lawyer of the Year" in 2014 for Government Relations Lawyers. Gif is a former member of the Davidson County Election Commission and has served as counsel to a number of statewide Republican campaigns. He was appointed by Nashville Mayor Karl Dean to the Board of the Metropolitan Development Housing Agency, as well as the Board of the Tennessee Business Roundtable. He is a Fellow of the Tennessee and Nashville Bar Foundations. He is former Board President of the Legal Aid Society of Middle Tennessee. He has served on the Board of Trust of Vanderbilt University and is currently on the board of the Hermitage, the home of Andrew Jackson, and Covenant Theological Seminary in St. Louis, MO. **He is an elder at Christ Presbyterian Church in Nashville.** Gif counts his professional mentor and partner Bill Bruce among the people he most admires for setting the standard for excellence in client service through hard work, a keen mind and unquestioned personal character. Gif and his wife Anna have four children. When not at work or at home, Gif enjoys running and has completed a number of marathons, including those in Boston, New York, Chicago and Washington DC. Prior to law school, Gif worked in the Foreign Service as Special Assistant to the Ambassador at the American Embassy in Paris, France.

Committee on Judicial Business

The purpose of the Committee on Judicial Business is to serve as a standing committee on judicial matters and to advise and work at the request of our Presbytery by handling all formal judicial business following the instructions in Scripture, the BCO and any other rules of process deemed appropriate by our Presbytery.

1. The committee will consist of three classes of two men each. Each class will have one ruling and one teaching elder that are not from the same church. The term of office is three years;
2. The committee would form the core of any judicial commission erected by the presbytery taking any conflicts of interest into consideration.

Members:

RE Trace Blankenship, Chairman

TE Mike Smith

TE Todd Teller

RE Gif Thortnton

RE David White

Alternates:

TE Len Hendrix

TE Neil Spence

TE Kevin Twit



Gif Thornton –
Nashville Pres
Standing Judicial
Chairman

Attorney Chip Campbell accepted money from the Nashville Presbytery to cover-up a Mann Act Federal crime before Tennessee Courts.

DOCKET
FOR THE 76th STATED MEETING OF NASHVILLE PRESBYTERY
PRESBYTERIAN CHURCH IN AMERICA
AUGUST 13, 2013
ZION PRESBYTERIAN CHURCH – COLUMBIA, TENNESSEE

Facilitating Committee – TE Len Hendrix, Chairman
Stated Clerk's Report
Financial Report, Treasurer
Communication: Davis v. Nashville Presbytery
SJC Ruling Ruff v. NP
GA 2013 RPR Citations
Ad Hoc Judicial Commission Report - Carter



Chip Campbell –
Board Chair of The
Covenant School

Nashville Presbytery Facilitating Committee
Thursday, June 27, 2013 10:00 a.m.
Covenant Presbyterian Church, Nashville, Tennessee

FOLLOW
THE
MONEY

Report

Attendance and Administration: TEs Matthew Bradley (Stated Clerk), Caleb Cangelosi (Recording Clerk), Bing Davis and Len Hendrix (Chairman) were present. TE Marvin Padgett joined by telephone. REs John Avery (Moderator), Patrick Kelly, Greg Wilbur, and Buz Graham were present. **Chip Campbell, attorney of record, was also present.** Len Hendrix opened the meeting with prayer. After adjournment, Greg Wilbur closed the meeting in prayer.

Items Discussed:

The FacCom held a called meeting to discuss a lawsuit in which Nashville Presbytery is named, and to retain counsel.

As the first order of business, it was moved and seconded to approve **Mr. Chip Campbell** as our attorney of record. The motion carried.

It was moved and seconded that Matt Bradley, as Stated Clerk of the Nashville Presbytery, represent the Presbytery as liaison with outside counsel. The motion carried.

It was moved and seconded to designate **\$10,000** of existing monies to cover any initial expenses pertaining to the lawsuit; once our defense is concluded, any remaining money will be undesignated. The motion carried.

It was moved and seconded to retain **Mr. Chip Campbell** and Frost, Brown, Todd as our legal counsel. The motion carried.

It was moved and seconded to notify the Presbytery by email that we are named in a lawsuit, and that we have retained counsel. The motion carried.

Recommendations:

1. That the actions of the June 27, 2013 called meeting of the Facilitating Committee be ratified by the Presbytery.

Ex 2

Chip Campbell was slick to falsely accuse Austin Davis of "harassing" the Nashville Presbytery during a Mann Act Federal crime cover-up.



**Gif Thornton –
Nashville Pres
Standing Judicial
Chairman**



William L. Campbell, Jr.
Member
615.251.5582 (t)
615.251.5551 (f)
ccampbell@fbtlaw.com

August 1, 2014

Via U.S. Mail and E-Mail

Duncan C. Cave, Esq.
230 4th Avenue North, Suite 300S
Nashville, Tennessee 37219
dcavelaw@gmail.com

**Chip Campbell won two cases
by fraud during a Mann Act
Federal crime cover-up which
is still on-going.**



**Chip Campbell –
Board Chair of The
Covenant School**

Re: Austin Davis, et al. v. Covenant Presbyterian Church of Nashville, et al.
Davidson County Circuit Court Case No. : **REDACTED**

Dear Duncan:

Our client, Nashville Presbytery, was served recently with the Complaint in the referenced action. Pursuant to Tenn. Rule of Civ. Proc. 11, we request that your client dismiss his claims against the Nashville Presbytery in this case. If he fails to do so, we expect to file the attached Motion for Sanctions.

For the most part, the basis for this request is set forth in the draft Rule 11 motion for sanctions sent to you by the attorneys for Covenant Presbyterian Church of Nashville and Jim Bachmann. Additionally, this lawsuit appears to be based on the allegations that were asserted in the June 19, 2013 lawsuit (No. **REDACT** filed by your client in the Circuit Court of Davidson County. The dismissal of the claims in that lawsuit against the Nashville Presbytery has been confirmed by the Tennessee Court of Appeals. Regardless of whether that court allows for the rehearing that Mr. Davis requested, the fact remains that the claims in this lawsuit against the Nashville Presbytery mirror claims in that previous lawsuit. Further, based on your client's prolific communications about the subject matter of both lawsuits, **it is clear that this latest suit was filed for in improper purpose with the sole intention of harassing the Nashville Presbytery and other defendants.**

Page 2
August 1, 2014

In sum, Mr. Davis' claims against the Nashville Presbytery in the referenced lawsuit are not warranted under the law and were brought for an **improper purpose**. I trust that you will agree that this latest lawsuit should be dismissed and act accordingly. If not, we reserve the right to file the attached motion.

Respectfully,

William L. Campbell, Jr.

Ex2



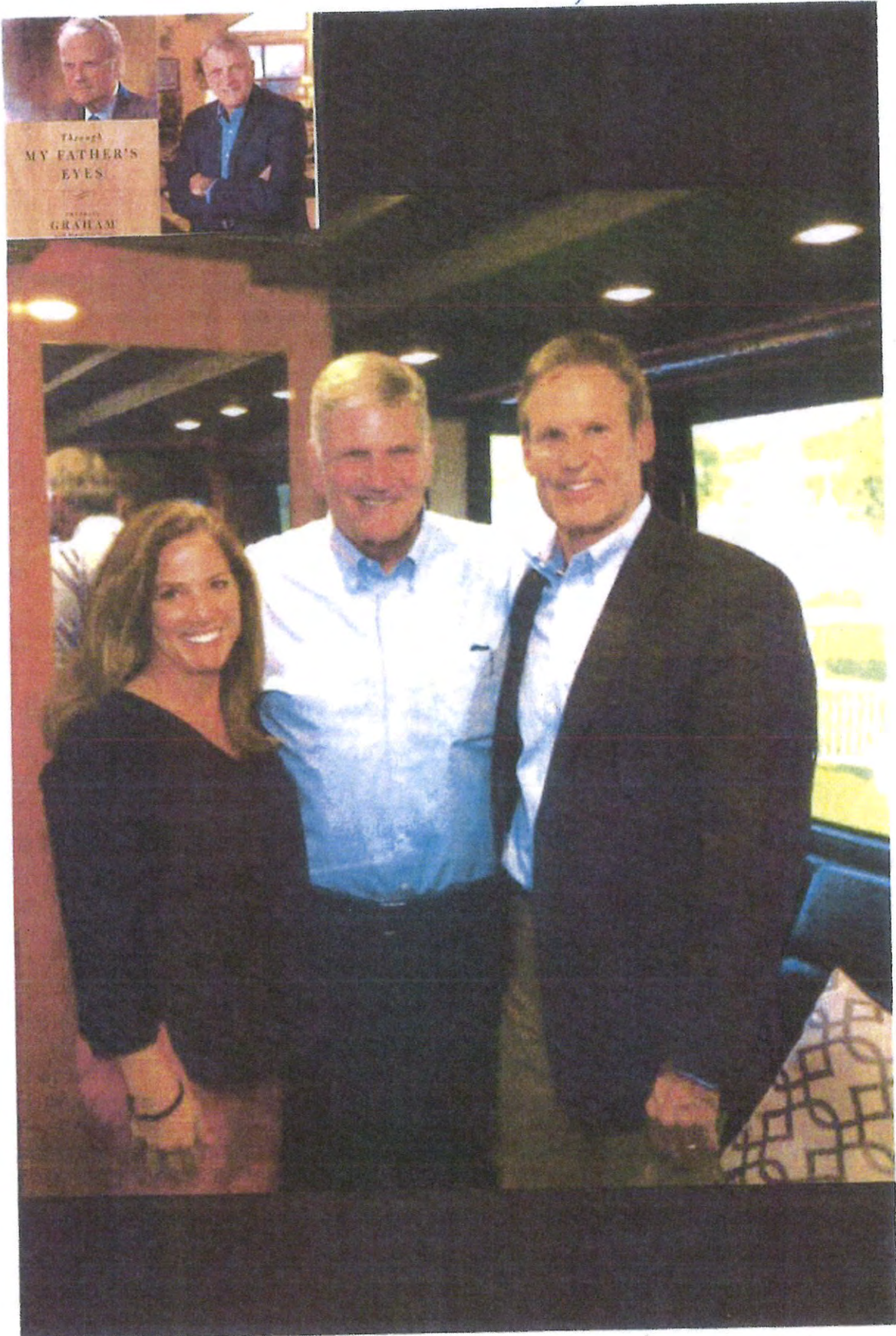
Gov. Bill Lee is protecting a rigged grand jury that protected Gov. Mike Huckabee's co-author, John Perry, a child-molester.



28



Gov. Bill Lee is protecting a rigged grand jury that protected Rev. Franklin Graham's co-author, John Perry, a child-molester.



Scott Troxel committed perjury to wrongfully convict Austin Davis.



Scott Troxel
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Witness Against Austin Davis -
Christ Presbyterian Academy Alumni
Father

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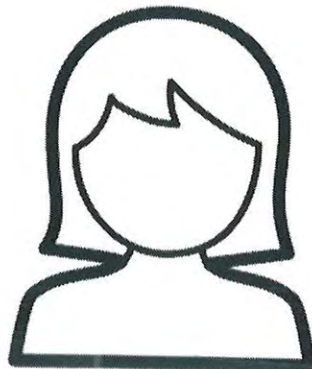
M4H00314.MP4
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[redacted] Troxel - First Open
Mic night at Bluebird
Cafe
2.3K views · 10 years ago



 CPA Alumni @CPAalumni · Sep 13, 2017
Proud of [redacted] Troxel '11 on the on the 9/15
release of [redacted] album, [redacted]
Don't miss it: [redacted] #CPAalumni



Ex 2



Perry

See More

High School

Went to Christ Presbyterian Academy Class of 2004 Thirteen Year Club



John Perry Christ Presbyterian Academy Alumni Father

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Photos

See All Photos



Handwritten blue scribble



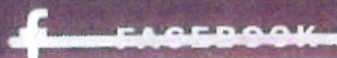
CHRIST PRESBYTERIAN ACADEMY

2323-A Old Hickory Blvd. Nashville, TN 37215

Phone: 615-373-9550

CONTACT US

Christ Presbyterian Academy is a private, coeducational, college-preparatory school for grades preschool through 12. The Academy provides transformational education through a Christian worldview and offers extensive programs to develop the diverse potential of each student. CPA is a ministry of Christ Presbyterian Church (PCA) in Nashville, Tennessee.



Ex 2

TBI joins investigation of misconduct admissions by Nashville judge

Credit: NewsChannel 5 Nashville
Duration: 01:47s 6 days ago 0 shares 1 views



TBI joins investigation of misconduct admissions by Nashville judge
The Tennessee Bureau of Investigation has been asked to assist prosecutors in reviewing allegations of misconduct against Davidson County Circuit Court Judge Kelvin Jones, NewsChannel 5 Investigates has learned.

An investigation into possible misconduct allegations against a Nashville judge. It follows disclosure by NewsChannel 5 chief investigative reporter Phil Williams that Judge Kelvin Jones made a number of stunning admissions of potentially illegal conduct during his divorce proceedings.

Tennessee Bar Association

Judge's Comments During Divorce Proceeding Lead to Disciplinary Complaint

Posted by: Stacey Shrader Joslin on Jan 22, 2021

News Type: Legal News

A Nashville judge's own admissions, made during a contentious divorce, may lead to an ethics investigation, [WSMV reports](#). The alleged comments made by Davidson County Circuit Court Judge Kelvin Jones during a sworn deposition include claims that he said he buried \$100,000 cash in his backyard to hide it from the state and creditors; falsely claimed a particular lawyer was going to represent him; accessed his then-wife's work emails looking for evidence; deposited small amounts of money in multiple bank accounts to avoid suspicion; and impersonated a man to get a hotel to send him a copy of that man's itemized bill. The complaint was filed by [suspended](#) Nashville attorney Brian Manookian, who has faced a number of ethics complaints and disciplinary action. When contacted, Jones' office said he would have no comment on the allegations.

Judge slams Casey Moreland for 'disgraceful' behavior, sentences him to 44 months in prison

Adam Tamburin - The Tennessean - Nov 30, 2018



Casey Moreland, once one of Nashville's most powerful judges, was sentenced to 44 months in prison Friday, capping what prosecutors called "one of the most shocking cases of misconduct of an elected public official" in the city's history.

Chief District Judge Waverly Crenshaw handed down the sentence in federal court, blasting Moreland's "persistent pattern of conduct that showed a profound disrespect for the law" and reflected a "reckless and self-centered mentality."

"For a judge, it's disgraceful," Crenshaw said.

Moreland, 60, resigned from the General Sessions bench in 2017, after federal authorities arrested him on an array of corruption charges.

Investigators had launched a probe to determine if he had traded preferential treatment for sexual favors. Moreland took steps to thwart that investigation by attempting to bribe and frame a former lover, prosecutors said.

The former judge struck a deal with prosecutors earlier this year after federal authorities arrested him again on charges that he had continued attempts to hamper the investigation while he was awaiting trial.

As part of the deal, he pleaded guilty to funneling thousands of dollars away from a nonprofit he started to help recovering drug addicts working their way through the General Sessions drug court. Moreland also pleaded guilty to attempting to bribe and intimidate a witness and to conspiring to hamstring federal investigations into his behavior.

Moreland, who appeared in court wearing a green prison jumpsuit, said he accepted the consequences of his actions.

"I want the people of Davidson County to know my regret," he said, reading from a prepared statement while standing before the judge. "They expect and deserve better."

Moreland's 44-month sentence was slightly longer than the range suggested by federal sentencing guidelines discussed in court Friday. It was short of the five-year sentence prosecutors sought.

U.S. Attorney Don Cochran, who prosecutes federal crimes in Nashville, said he was pleased with the outcome of the case.

"I don't think it gets a whole lot worse than this for judicial misconduct," he said. "It's a serious sentence."

TENNESSEE SUPREME COURT ORDERS NEW POST-CONVICTION HEARING BEFORE A DIFFERENT JUDGE BASED ON COMMENTS MADE FROM THE BENCH

August 25, 2020

The Tennessee Supreme Court today confirmed that a judge has an obligation to recuse himself or herself from a case if the judge's impartiality might reasonably be questioned, even if a litigant does not file a motion for recusal. The Court vacated the decision by a judge in a post-conviction relief case and remanded the case to the trial court for a new post-conviction hearing before a different judge.

In the case before the Supreme Court, Brice Cook filed a petition seeking post-conviction relief from his conviction of first-degree premeditated murder for the fatal shooting of Ms. Shantell Lane in Shelby County. Mr. Cook alleged that his trial attorneys were ineffective because they failed to communicate a plea offer to him in a timely manner. Ineffective assistance of counsel is a common post-conviction claim.

Judge Lee V. Coffee presided over the claim for post-conviction relief and denied Mr. Cook relief. In his oral ruling from the bench, Judge Coffee described the post-conviction process in Tennessee as a game; compared Mr. Cook's appointed counsel in the post-conviction claim to a Monday morning quarterback; characterized Mr. Cook's claims as "almost absolutely laughable;" expressed a preference for Texas law, where the judge had previously practiced law, on post-conviction procedures; and expressed doubt that Mr. Cook's trial attorneys could ever be ineffective.

Mr. Cook appealed and a majority of the Court of Criminal Appeals affirmed the denial of relief. The Supreme Court accepted Mr. Cook's appeal.

In its decision, the Supreme Court reviewed the Tennessee Rules of Judicial Conduct, which declare that judges must "act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety." Another provision declares that judges "shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially."

The Court held that a Tennessee judge must recuse himself or herself "in any proceeding in which the judge's impartiality might reasonably be questioned." The Supreme Court explained that a judge's impartiality may reasonably be questioned if a reasonable person of ordinary prudence in the judge's position, knowing all the facts known to the judge, would question the judge's impartiality. Under Tennessee Supreme Court rules, judges are obligated to recuse themselves even if litigants do not file recusal motions.

Applying these principles, the Supreme Court ruled Judge Coffee's comments would indicate to a reasonable person that the decision to deny Mr. Cook relief was based as much on the judge's disdain for, and disagreement with, Tennessee law regarding post-conviction procedures and his belief that trial counsel were so preeminent, skilled, and knowledgeable that they could never be ineffective in any case as on the evidence presented at the hearing. As a result, the Supreme Court held that the judge's impartiality might reasonably be questioned and that he should have recused himself. The Supreme Court reversed the post-conviction judge's denial of relief and remanded for a new post-conviction hearing before a different judge.

Given the judge's broad comments expressing disdain for post-conviction hearings, the Court also reviewed whether the comments in this case call into question the judge's impartiality for all future post-conviction cases. The Court stopped inches short of drawing that conclusion, finding that the judge's comments were isolated and not habitual. The Court did caution, however, that it would not hesitate to disqualify a judge from hearing future cases if it determined the judge habitually made inappropriate comments that call into reasonable question the judge's impartiality.

To read the Supreme Court's unanimous opinion in *Brice Cook v. State* authored by Justice Cornelia A. Clark go to the opinions section of TNCourts.gov.

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

FILED
09/06/2019
Clerk of the
Appellate Courts

_____ v. AUSTIN DAVIS

Appeal from the Circuit Court for Davidson County
No. 16C- _____ Thomas W. Brothers, Judge

No. M2018- _____-COA-R3-CV

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

In an abundance of caution, *protected information*
is REDACTED in submission to Attorney Larry Crain's
limited injunction granted on 9/24/2018. Attorney
Larry Crain represents child-molester John Perry,
and John Perry's child sex abuse Victim #1.

Ex 5

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 Jones 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 trauma ~~_____~~ has endured. 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 ~~_____~~ 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 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: 01/22/2021

Notice / Filed Date: 01/22/2021

NOTICE - Docket Activity - Docketed (On Briefs)

This case has been docketed as an on-briefs case. You will receive another notice when an opinion is filed.

James M. Hivner
Clerk of the Appellate Courts

Campus News Archives

Judge John Everett Williams to serve as next UT Martin Academic Speaker on Oct. 29

10 - 27 - 2015

Contact: [Erin Chesnut](#)



MARTIN, Tenn. – Judge John Everett Williams, of Huntingdon, will give a presentation titled “There is a New Way of Appointing Judges in Tennessee” at 6 p.m., Oct. 29, in the University of Tennessee at Martin’s Norman Campbell Lecture Hall, room 121 of the Andy Holt Humanities Building.

Williams graduated from Huntingdon High School and received a degree in criminal justice from UT Martin. He later earned a law degree from the Cumberland School of Law in Birmingham, Ala., and returned to Huntingdon to begin a law practice in 1981.

Gov. Don Sundquist appointed Williams to the Tennessee Court of Criminal Appeals in 1998, where he has served for the past 17 years. Williams is the senior member of the court’s Western section and also serves as commission chair for the Tennessee Lawyers Assistance Program.

Williams recently received the first Distinguished Alumnus Award from the UT Martin Criminal Justice Program in recognition of his longtime support of UT Martin criminal justice students.

The presentation is sponsored by UT Martin Honors Programs, and the public is invited to attend. For more information, contact Dr. Lionel Crews, director of Honors Programs, at 731-881-7436 or by email at lcrews@utm.edu.

BALLOTPEDIA

Alan Glenn



Vanderbilt University, 1968

[Official website](#)

* Alan E. Glenn is a judge on the [Tennessee Court of Criminal Appeals](#). He was appointed to the court by [Republican](#) Governor [Don Sundquist](#) in [April 1999](#) and was retained in 2000, 2006, and 2014.^{[1][2]} *

Education

Glenn received both his undergraduate and [J.D.](#) degrees from Vanderbilt University in 1965 and 1968, respectively.^[2]

Career

- **1999-2022:** Judge, [Tennessee Court of Criminal Appeals](#)
- **1982-1999:** Attorney in private practice, Memphis, [Tennessee](#)
- **1971-1982:** Assistant district attorney general,
- **1970-1971:** Law clerk, [United States District Court for the Western District of Tennessee](#)^{[2][3]}

Awards and associations

- Member, Memphis/Shelby County Bar Association
- Member, Tennessee Bar Association^[3]



Montgomery Bell Academy

A school for boys in grades 7 - 12. Founded in 1867.

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Glenn, Alan E. *

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Ex 7

BALLOTPEDIA

Robert Wedemeyer



Bachelor's

Vanderbilt University, 1973

Law

University of Memphis School of Law, 1976

[Official website](#)

* **Robert W. Wedemeyer** is a judge on the [Tennessee Court of Criminal Appeals](#). He was appointed to the court in [2000](#) by [Republican](#) Governor [Don Sundquist](#) and was retained in 2006 and 2014.^[1] *

Education

Wedemeyer received his undergraduate degree from Vanderbilt University in 1973 and his [J.D.](#) degree from the University of Memphis School of Law in 1976.^[1]

Career

- **2000-2022:** Judge, [Tennessee Court of Criminal Appeals](#)
- **1990-2000:** Judge, [Nineteenth Circuit Court](#)
- **1985-1990:** Partner, Wedemeyer & Grimes
- **1977-1984:** Attorney, Cunningham, Mitchell, Hicks & Wedemeyer^{[1][2]}

GOVERNOR DON SUNDQUIST PAPERS, 1995-2003

View File:

 [GOVERNOR_DON_SUNDQUIST_PAPERS_1995-2003.pdf](#)

Don Sundquist (born 1936) was the 47th Governor of Tennessee. The Governor Don Sundquist Papers (1995-2003) represent an official record of those years. Totalling over 439 cubic feet or 877 filing boxes, the Sundquist papers have been arranged into nine series, each corresponding to a particular office in the Sundquist administration. Original arrangement of the collection is retained as much as possible. Duplicate copies of publications, correspondence and other items were removed from the collection during processing. State publications were removed from the collection and are catalogued with the library holdings. Included in the collection are photographs and a large amount of audio-visual materials. An inventory of each appears at the end of this finding aid. Also included in the finding aid is an organizational chart detailing the various Sundquist staff members, as well as a chart of the Executive departmental heads.

Tennessee Secretary of State

Tre Hargett

© 2017-2019 Tennessee Secretary of State



Do Steven Curtis Chapman, Michael W. Smith and Amy Grant support the contaminated grand jury that wrongfully indicted Austin Davis? The toxic grand jury included Amy Grant's long-time friend, Ms. Scottie Coombs.

Judge Steve Dozier -
recused after the trial.



Don Dozier -
Judge Dozier's Uncle -
Ex-Covenant Member -
Stephens Valley
Charter Member



Scottie Coombs
Secret Grand Juror
Amy Grant

Grand Jury Final Report
July Term 2016

Steve R. Dozier, Judge
Criminal Court Division I
Davidson County, TN

September 23, 2016

Grand Jury Members
July - September Session 2016



Reese Witherspoon
Scottie Coombs

Crystal Allen
Crystal Allen

Jennifer Allen
Jennifer Allen

Julia Bandy
Julia Bandy
Sandra Carney
Sandra Carney

Sandra Carney

Rebecca Carey
Rebecca Carey

* *Scottie Coombs*
Scottie Coombs

Jasmine Frierson
Jasmine Frierson

Patty Kemp
Patty Kemp

Matthew Martin
Matthew Martin

Janel Partee
Janel Partee

Sandra Phillipa
Sandra Phillips

Carol Banner
Carol Banner
Rita Woodcock
Rita Woodcock

Donald Wunder
Donald Wunder

Hitoshi Yamaguchi
Hitoshi Yamaguchi

Stan Fossick
Stan Fossick, Foreperson



Scottie Coombs

Stan Fossick was foreman on
both grand jury indictments.



HH Alumnae Director Scottie Coombs provided HH Alumnae misleading information while Ms. Coombs was a secret member of a contaminated grand jury session that wrongfully indicted Austin Davis.



Scottie Coombs **Amy Grant**
Secret Grand Juror

From: "Harpeth Hall" <alumnasoffice@harpethhall.org>
Date: September 10, 2016 at 6:08:42 PM CDT
To:
Subject: An Important Message from Harpeth Hall
Reply-To: coombs@harpethhall.org

September 10, 2016 Letter sent 41 days after
the retaliation indictment.

Dear Harpeth Hall Alumnae.

Many of you recently received an unauthorized email from a former Harpeth Hall student email is an improper use of Harpeth Hall contact information and a clear violation of our Privacy Policy as stated on the alumnae portal of our website which states.

"The information in the Alumnae Directory may NOT be reproduced in any form or used for commercial, nonprofit, or political solicitation purposes or mass communication not previously approved by the Alumnae Office. It is NOT to be copied or provided to anyone outside the Harpeth Hall community. Individuals violating the Privacy Policy will be removed from the directory and will not be permitted to have any future access to the directory."

Please know that the former student's email was in no way an approved communication by Harpeth Hall. No one at the school had any prior knowledge of the sender's intended unauthorized use of such information and would not have approved it had such request been made. Harpeth Hall takes every precaution to protect your contact information and strives to communicate with you in an appropriate and professional manner.

Further, we wish to reassure you that the allegations in the former student's email are unsubstantiated. We anticipate sending you a more detailed report on the current state of matter in the near future, however, we wanted to send this more immediate response to reassure you that the former student's email was both improper and sent without Harpeth Hall's knowledge or consent.

We are most grateful for your loyalty to Harpeth Hall and regret any concern this unauthorized email may have caused you.

Warm regards,

Stephanie Balmer

Stephanie Balmer
Head of School

Scottie Coombs

Scottie Fillebrown Coombs '78
Director of Alumnae Relations

JAILED 18 DAYS



Austin Davis – Father of the former Harpeth Hall student further bullied and humiliated by the Sept 10 HH Alumnae letter.



Reese Witherspoon **Scottie Coombs**

Harpeth Hall Leadership accused a bullied former Harpeth Hall student of an "improper" action while HH Leadership protected a Mann Act Federal crime cover-up with NO statute of limitations for child sex abuse across state lines. On Feb 10, 2017, Harpeth Hall Leadership provided HH Alumnae "blocking" instructions so that thousands of HH Alumnae could also become active participants in an on-going Mann Act Federal crime cover-up.



John Ingram
MBA – HH Boards –
Global Publishing
Titan

Does John Ingram support Pastor Jim Bachmann and the abuse of a former Belmont – Harpeth Hall student?

← Pastor Jim Bachmann

49 Tweets



Retired FBI Agent Walt Valentine
is still protecting Jim Bachmann.



Follow

Pastor Jim Bachmann

@BachmannJim

Senior Pastor at Stephens Valley Church

Nashville, TN stephensvalleychurch.com

Joined February 2019

64 Following 31 Followers

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Banned - Abused

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Pastor Jim Bachmann @BachmannJim · 2h

Great day for a baseball game! Really enjoyed being guests of Scotti and Kim Madison and John Ingram at Vandy-Auburn game today. Does are looking sharp on the diamond!





Dec 2, 2020 - Two MBA Board members, the TN Attorney General's Office and U.S. Attorney Don Cochran were provided information about a Federal Mann Act crime cover-up.



David Ingram
MBA Board Chairman



John Ingram
MBA – HH Boards

-----Original Message-----

From: Austin Davis <thesilentbell18@gmail.com>

To: david.ingram@redacted; john.ingram@redacted;

Cc: don.cochran@redacted; cecil.vandevender@redacted; david.findley@ag.redacted; ben.ball@ag.redacted;
councilmembers@nashville.gov

Sent: Wed, Dec 2, 2020 05:17 AM

Subject: MBA - Brad Gioia - Three Faculty Members

MBA Headmaster Brad Gioia, three MBA faculty members, and new Nashville Police Chief John Drake are still protecting child-molester John Perry and a Mann Act Federal crime cover-up. I hope the MBA Board will preserve the honor code and "gentleman - scholar - athlete" school mission after reviewing videos, court transcripts and grand jury information at THE SILENT BELL: <https://www.thesilentbell.org/>

Austin Davis
MBA Father '17
MUS '73

This information is provided under protection of the 1st Amendment.

Ex7



Do MBA Board Members support a child sex abuse cover-up and the alleged gang rapes of a 6th grade student at Brentwood Academy.



**Jeffrey Epstein -
Arrested**



**John Perry -
Protected**



**A banned and abused
former Belmont – Harpeth
Hall student. A MBA Thes-
pian Club member.**

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 Mr. J. Bransford Wallace ('48)
 Mr. Dudley Warner II ('61)
 Mr. Christopher C. Whitson ('80)
 Mr. Blair J. Wilson ('70)
 Mr. William M. Wilson, Sr. ('66)

Oct 20, 2017 – MBA Parent message to MBA Father Austin Davis who was falsely arrested and jailed for 18 days to protect child-molester John Perry and numerous connections to the alleged gang rape lawsuit of a 6th grade Brentwood Academy student: "You are going up against the powers, the big boys, the old guard here in Nashville, big law firms... wow... I mean you are getting crushed like a bug... and I feel for you... simply because all you say rings true to me."

Governor names Easter to Court of Criminal Appeals

AUTHORS BUSINESS AUG 20, 2014



Gov. Bill Haslam has named Timothy Lee Easter to the Court of Criminal Appeals.

Easter has been a circuit court judge for the 21st Judicial District, which consists of Williamson, Hickman, Lewis and Perry counties. He was appointed to that position in 1998 by Gov. Don Sundquist, was elected later that year for an eight-year term and was re-elected for another eight-year term in 2006.

"We are fortunate to have a person with this level of experience on the bench, and I am pleased to make this appointment to the Court of Criminal Appeals," Haslam said. "Having Judge Easter in this position will serve the Middle Section well."

Easter replaces Jerry L. Smith, who is retiring.

Easter was one of seven applicants to replace Judge Jeff Bivins on the court. Bivins -- a former 21st District circuit judge himself -- replaced Supreme Court Justice Bill Koch, who is now the dean at Nashville School of Law.

Easter received his law degree from the Nashville School of Law in 1989. He earned a bachelor's degree from Lipscomb University in 1982 and is a graduate of David Lipscomb High School. Easter has also been an adjunct professor at Lipscomb University.

Easter has been a judge in the 21st Drug Court Inc., an alternative sentencing program that gives non-violent offenders with addiction issues an opportunity to complete a recovery program in lieu of, or in addition to, traditional sentences.

JUDGE HOLLOWAY APPOINTED TO COURT OF CRIMINAL APPEALS

August 21, 2014

Tennessee Gov. Bill Haslam today appointed Robert Lee Holloway Jr. of Columbia to the Tennessee Court of Criminal Appeals, Middle Section.

Holloway, 62, replaces Judge Jeff Bivins, who was recently appointed to the Tennessee Supreme Court. Holloway has been a Circuit Court judge for the 22nd Judicial District, which includes Giles, Lawrence, Maury and Wayne counties. He was appointed to that position in 1998 by Gov. Don Sundquist. He was elected in August 1998 and again in 2006.

"Tennesseans are fortunate to have Judge Holloway to step into this important role," Haslam said. "He has distinguished himself both on the bench and in various ways in the community. This appointment will serve the Middle Section well."

Read more [here](#).



Judge Robert L. Holloway, Jr.

JUDGES EASTER, HOLLOWAY RECEIVE FORMAL OATH OF OFFICE FROM GOV. HASLAM

January 12, 2015

Gov. Bill Haslam administered the formal oath of office to Court of Criminal Appeals judges Timothy Easter, of Brentwood, and Robert Holloway, Jr., of Columbia on January 12, 2015. Both joined the court on September 1, 2014 after receiving appointments from the Governor earlier last year.

[See the Governor's Flickr stream for more photos.](#)



Gov. Bill Haslam administers the oath to Judge Timothy Easter and Judge Robert Holloway, Jr. Both are members of the Court of Criminal Appeals.



Haslam appoints Dyer to Court of Criminal Appeals

Shelby County attorney to replace Page

AUTHORS

Gov. Bill Haslam today appointed J. Ross Dyer, the Shelby County attorney, to the Court of Criminal Appeals for the Western Section, replacing Roger Page, who recently became a Tennessee Supreme Court Justice.

Dyer's appointment will require confirmation by the Tennessee General Assembly.

Dyer, 43, has been the chief counsel for Shelby County since 2014.

Prior to that, he was senior counsel and managing attorney for the Memphis office of the Tennessee Attorney General. He was also team leader and assistant attorney general in the criminal justice division of the Nashville office of the Tennessee Attorney General. In those positions, he handled more than 20 cases in the Tennessee Supreme Court and more than 1,000 cases in the Tennessee Court of Criminal Appeals.

"Ross Dyer's depth of experience working for Shelby County and the state for 19 years gives us an excellent choice to serve the Western Section," Haslam said. "We are fortunate to have someone with his background for this position."

Dyer said he is "humbled and honored" by the appointment.

"I appreciate [Haslam's] confidence in me and him providing me with the opportunity to serve the people of Tennessee in a position that I have always considered my dream job. I look forward to working with the other members of the Court of Criminal Appeals and to continue serving my home state."

Dyer received his law degree from the Cumberland School of Law at Samford University in 1998 and a bachelor's degree in business administration with a minor in economics from Millsaps College in 1995.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

04/22/2021

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. WILLIE AUSTIN DAVIS

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

No. M2019-01852-SC-A10B-CO

ORDER

This matter is before the Court on the Recusal Appeal filed by Willie Austin Davis pursuant to Tenn. Sup. Ct. R. 10B, § 3.02(c). Section 3.02(c) provides that the appeal must be filed within twenty-one days of the intermediate appellate court's order denying the motion for court review. The Court of Criminal Appeals order denying the motion for court review was filed on March 15, 2021. Under section 3.02(c), the deadline for filing an appeal to this Court was April 5, 2021. Because Mr. Davis did not file his appeal to this Court until April 19, 2021, his appeal is untimely and must be dismissed. *See* Tenn. Sup. Ct. R. 10B, § 3.04 (stating that the time period for filing a recusal appeal from the Court of Appeals or Court of Criminal Appeals pursuant to section 3.02(c) is jurisdictional and cannot be extended by the Court). His two additional filings in the Court of Criminal Appeals after his motion for court review was denied did not extend the time for him to file his appeal to this Court.

Accordingly, the Recusal Appeal filed by Willie Austin Davis is hereby dismissed. The costs are taxed to Willie Austin Davis, for which execution may issue if necessary.

PER CURIAM