

STATE OF TENNESSEE

Office of the Attorney General



HERBERT H. SLATERY III  
ATTORNEY GENERAL AND REPORTER

P.O. BOX 20207, NASHVILLE, TN 37202  
TELEPHONE (615)741-3491  
FACSIMILE (615) 532-7791

September 7, 2021

Honorable James M. Hivner, Clerk  
Supreme Court Building  
401 Seventh Avenue North  
Nashville, Tennessee 37219-1407

**Re: *State v. Willie Austin Davis***  
**No. M2019-01852-SC-R11-CD**

Dear Mr. Hivner:

After reviewing the application for permission to appeal pursuant to T.R.A.P. 11(a) filed in the above-styled case, this Office has decided not to file a response because the claims presented are adequately addressed in the majority opinion of the Court of Criminal Appeals and in the State's brief filed in that court. If the Court desires a response in this case, please notify me so that I can prepare and file the response.

Sincerely,

/s/ David H. Findley  
DAVID H. FINDLEY  
Senior Assistant Attorney General

cc: WILLIE AUSTIN DAVIS  
Pro Se Appellant

IN THE TENNESSEE SUPREME COURT  
AT NASHVILLE

FILED  
AUG 27 2021  
Clerk of the Appellate Courts  
Rec'd By \_\_\_\_\_

**Willie Austin Davis**

Defendant/Appellant

vs.

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

**Trial No.** 2017-A-62

**State of Tennessee**

Plaintiff/Appellee

In an abundance of caution, the identity of John Perry's Victim 1 is REDACTED in submission to Attorney Larry Crain's narrow injunction granted on 9/24/2018. Attorney Larry Crain represents child-molester John Perry, John Perry's Victim #1, and Gov. Bill Lee's Grace Chapel Church in Leipers Fork, Tennessee.

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**APPELLANT'S MOTION FOR RECUSAL OF  
ALL TENNESSEE SUPREME COURT JUSTICES**

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Pursuant to Tennessee Supreme Court Rule 10B 3.03 (b), Appellant makes a motion for the recusal of all five Tennessee Supreme Court Justices from participation in the Appellant's case: Chief Justice Jeffrey S. Bivins (Gov. Bill Haslam Republican Appointment); Justice Holly Kirby (Gov. Bill Haslam Republican Appointment); Justice Roger A. Page (Gov. Bill Haslam Republican Appointment); Justice Cornelia A. Clark (Gov. Bredesen Democratic Appointment); Justice Sharon G. Lee (Gov. Bredesen Democratic Appointment).

Appellant's recusal motion is not being presented for any improper purpose, such as to harass, or to cause unnecessary delay, or needless increase in cost of litigation. Exhibit 1.

Article VI, Section 5, of the Tennessee Constitution states: "An attorney general and reporter for the state, shall be appointed by the judges of the Supreme Court." Tennessee is presently the only state in America where the state supreme court appoints the state attorney general. On Sept 15, 2014, the Tennessee Supreme Court interviewed eight Attorney General candidates to select Gov. Bill Haslam's legal counsel and childhood friend, Herbert Slatery, as

the next Tennessee Attorney General. As a consequence of the Tennessee Supreme Court's application, interview process, appointment and inherent "*conflict of interest*," as it relates to the Appellant's unique case, Appellant makes a motion for all five justices to recuse from the Appellant's Rule 11 Application, and case. Exhibit 5

On Sept 8, 2014, Appellant provided truthful information about Covenant Member Worrick Robinson and the John Perry child sex abuse cover-up to the Tennessee Supreme Court during the first public Tennessee Attorney General hearing at Legislative Plaza with AG Nominee Herbert Slatery present in room HR16. During the past seven years following the Appellant's 3-minute truthful public statement, the Tennessee Supreme Court has denied 6 separate petitions related to the Worrick Robinson - John Perry child sex abuse cover-up, including the denial of the Appellant's amicus brief when the Appellant was secretly banned from the 1<sup>st</sup> Vanderbilt Rape Trial. (Case # M2014-00524-SC-R11-CV). Exhibit 2.

Covenant Member Worrick Robinson misused the 1<sup>st</sup> Vanderbilt Rape Trial to defame and falsely criminalize the Appellant as a threat to those attending the public criminal trial in 2015, just as Covenant Member Worrick Robinson defamed and falsely criminalized the Appellant as a threat to those attending public Sunday church services at Covenant Presbyterian Church in 2008 thru the present. Appellant now provides the Court an additional transcript about Covenant Member Worrick Robinson providing information to Judge Monte Watkins during the 1<sup>st</sup> Vanderbilt Rape Trial. Tameka Clark, a judicial administrative assistant for Judge Monte Watkins, testified in a "*special prosecution*" of the Appellant on June 8, 2016: "Q... How and when did it come to your attention that these things happened? A. An attorney, Worrick Robinson, would forward them to me and would let us know. Once-- because the first one was when I was recorded, and they-- they forwarded it to me. That's how it all came after that. Q.

So it was sort of an on-going basis Mr. Robinson would --. A. Yes. Q. -- supply the chambers of Judge Watkins with information about what he considered to be the contemptuous behavior on Mr. Davis' part? A. Yes. Q. Okay. And did you either because you wanted to or because it's part of your duties follow up on that information Mr. Robinson supplied? A. Yes. Once I would receive them I would open the e-mail. Sometimes they would be written emails, other times they would just be audio recordings. But I would either read them or listen to them, and then I would inform Judge Watkins." Exhibit 1 – Exhibit 2. TR Vol 3 - Pgs 383-384.

On Feb 3, 2014, Gov. Bill Haslam's legal counsel, Mr. Herbert Slatery, spoke at Covenant Presbyterian Church during a Worrick Robinson – John Perry - Covenant Presbyterian Church - Mann Act Federal crime cover-up, which also involved Mr. Slatery's friend, Covenant Pastor Billy Barnes.

As a result of Attorney General Herbert Slatery's long-time support of Covenant Presbyterian Church, which included Covenant Pastor Billy Barnes, Covenant Member Worrick Robinson, ex-Covenant Deacon John Perry, and Judge Steve Dozier's uncle, Don Dozier, and as a result of the incestuous "*conflict of interest*" relationship within the Tennessee Supreme Court with their own appointed Attorney General Herbert Slatery, the Appellant contends that the Tennessee Supreme Court has an institutional structural bias against the Appellant in this unique child sex abuse cover-up case to the favor and benefit of the Supreme Court's hand-picked Tennessee Attorney General, Herbert Slatery. Exhibit 5. TR Vol 1 – Pg 50.

In recent months during Appellant's petition for relief to the Tennessee Court of Criminal Appeals, Appellant provided truthful information to Judge Alan E. Glenn, a Montgomery Bell Academy Alumnus, about Herbert Slatery's guest speaking appearance at Covenant Presbyterian Church on Feb 3, 2014, which occurred during the ongoing Worrick Robinson - John Perry –

Mann Act Federal crime cover-up, and prior to Herbert Slatery's selection as Tennessee Attorney General by the Tennessee Supreme Court on Sept 15, 2014. An audio recording of Herbert Slatery's speaking appearance at Covenant Presbyterian Church can be heard at this link: <https://soundcloud.com/valglenn18/herbert-slatery-speech>. See Exhibits 3-5 of "*Appellant's Motion For Recusal -3<sup>rd</sup> Motion For Court Review*" filed with the Tennessee Court of Criminal Appeals on March 29, 2021, pages 23-56 of 56, at the scanned filing. Exhibit 5.

Appellant also provided truthful information to Judge Alan E. Glenn, a Montgomery Bell Academy Alumnus, about Tennessee Attorney General Herbert Slatery's friendships with former Republican Gov. Bill Haslam, current Republican Gov. Bill Lee, Gov. Bill Lee's Judicial Appointment Chairman and Christ Presbyterian Church Elder, Attorney Gif Thornton, and other individuals at Christ Presbyterian Church, Covenant Presbyterian Church, and Montgomery Bell Academy, which might possibly include Montgomery Bell Academy father, Federal Judge William "*Chip*" Campbell, Jr., or Judge Campbell's mother, Beth Campbell, a Republican National Committeewoman, or other members of Beth Campbell's family. See Exhibit 2 of "*Recusal Appeal From The Court of Criminal Appeals*" motion submitted to the Tennessee Supreme Court on April 19, 2021, pages 68-90 of 113, at the scanned filing.

During the past twelve months, Tennessee Attorney General Herbert Slatery had ample time and opportunity to faithfully recuse himself and his office's 175 attorneys from the Appellant's case after the Appellant's brief was filed on Aug 7, 2020. However, Tennessee Attorney General Herbert Slatery chose not to recuse himself or his office's 175 attorneys during the on-going Mann Act Federal crime cover-up to protect child-molester John Perry, a Christ Presbyterian Alumnus father. Instead, Tennessee Attorney General Herbert Slatery's name appeared on the front cover of the "*Brief of The State of Tennessee*" which defended the judicial

and ethical conduct of Davidson County Trial Judge Steve Dozier and contended that Judge Steve Dozier did not have to recuse from the Appellant's case even though Judge Dozier defrauded the Appellant and intentionally concealed his friendship with Covenant Member Worrick Robinson for 14-months as he presided over the Appellant's trial. Covenant Member Worrick Robinson was campaign fund-raiser co-chair for "*Friends of Steve Dozier*" during the election of 2014. Exhibit 3. Exhibit 5.

Attorney General Herbert Slatery signed a Supreme Court of Tennessee Application for Tennessee Attorney General and Reporter agreement which clearly demonstrate Attorney General Slatery is an expert on the professional and ethical standards of the legal and judicial profession: "The activities association with these organizations would not impede my ability to perform all of my responsibilities as the Attorney General, should I be appointed... The Supreme Court entrusts great responsibilities to the Attorney General. How he or she carries out those responsibilities will reflect on the Court... I recently taught a CLE Seminar to state attorneys on judicial selection... I also specifically waive any rights or privileges of confidentiality otherwise conferred in relation to checks of the Board of Professional Responsibility, Board of Judicial Conduct, Board of Law examiners, or similar entity." Exhibit 5.

In this recusal motion, the Appellant is not responding to the Attorney General's "*waived recusal right*" argument, nor is the Appellant making argument about his guilt or innocence at this point in time. Appellant is simply seeking a "*fair day in court*" and is making a formal request for all five justices of the Tennessee Supreme Court to recuse from the Appellant's case since Tennessee Attorney General Herbert Slatery and the Tennessee Supreme Court have a mutual "*conflict of interest*" through Attorney General Herbert Slatery and his numerous friends

at Covenant Presbyterian Church, Christ Presbyterian Church, the Presbyterian Church in America, and Grace Chapel Church in Liepers Fork, Tennessee.

The Tennessee Supreme Court's "*conflict of interest*" with their own appointed Tennessee Attorney General Herbert Slatery inherently prevents the Appellant from receiving a fair, impartial judiciary, which further protects the Worrick Robinson – John Perry - Mann Act Federal crime cover-up, which has no statute of limitations, and also a 2<sup>nd</sup> alleged Mann Act Federal crime, and an alleged murder to cover-up the alleged child sex abuse across state lines.

The Tennessee Supreme Court's "*prosecutorial*" appointment and "*alliance*" with their own appointed Tennessee Attorney General Herbert Slatery is one of several reasons why all five justices of the Tennessee Supreme Court should recuse from the Appellant's case to ensure the Appellant is provided a fair, impartial judiciary in Tennessee, in submission to Article VI, Section 11, of the Tennessee Constitution: "No judge of the Supreme or Inferior Courts shall preside on the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by affinity of consanguinity, within such degrees as may be prescribed by law, or in which he may have been of counsel, or in which he may have presided in any Inferior Court, except by consent of all parties. In case all or any of the judges of the Supreme Court shall thus be disqualified from presiding on the trial of any cause or causes, the court or the judges, thereof, shall certify the same to the governor of the state, and he shall forthwith specially commission the requisite number of men, or law knowledge, for the trial and determination thereof. The Legislature may by general laws make provision that special judges may be appointed, to hold any courts the judge of which shall be unable or fail to attend or sit; or to hear any cause in which the judge may be incompetent."

Appellant does not give his consent to any of the Tennessee Supreme Court justices to preside or to rule on the Appellant's case with the Tennessee Supreme Court's inherent "*conflict of interest*" via their own appointed Tennessee Attorney General Herbert Slatery, who has his own "*conflicts of interest*" with his long-time childhood friend, former Republican Gov. Bill Haslam, current Gov. Bill Lee, Gov. Bill Lee's Judicial Appointment Chairman Gif Thornton, Covenant Pastor Billy Barnes, Christ Presbyterian Pastor Scott Sauls, and many other individuals at Covenant Presbyterian Church, Christ Presbyterian Church, the Nashville Presbytery, the Presbyterian Church in America, and Grace Chapel in Leiper's Fork, Tennessee.

Gov. Bill Lee's Grace Chapel Church is a major concern for the Appellant, especially since Montgomery Bell Academy Judge Alan E. Glenn denied eight Appellant post-judgment motions with significant information about a connected spider web of numerous child sex abuse cases in Tennessee, and beyond Tennessee, and it now appears that the Tennessee Court of Criminal Appeals has no concern about child sex abuse being covered up in Tennessee courtrooms by Tennessee Judges.

Appellant is now concerned that an alleged 2<sup>nd</sup> Mann Act Federal crime cover-up is now in full swing and collided with the John Perry – Mann Act Federal crime cover-up via numerous connections with WSMV TV, ex-WSMV TV anchor Aaron Solomon, ex-WSMV TV anchor Demetria Kalodimos, WSMV TV Attorney Robb Harvey, Covenant Presbyterian Church, The Covenant School, Christ Presbyterian Church, Christ Presbyterian Academy, Stephens Valley Church, Fellowship Bible Church, Montgomery Bell Academy, The Harpeth Hall School, Brentwood Academy, Julia Green Public School, Grace Chapel Church, Grace Christian Academy, and Federal Judge William "*Chip*" Campbell, Jr., just to mention a few of the numerous connections.



Appellant prays all five justices of the Tennessee Supreme Court will recuse from the Appellant's case to ensure the Appellant obtains a fair, impartial judiciary in the State of Tennessee as promised by the Tennessee Constitution, Article VI, Section 11.

Republican Gov. Bill Lee, Republican Lt. Gov. Randy McNally and Republican Senate Majority Leader Jack Johnson, and any elected state official with a "*conflict of interest*" against the Appellant should also recuse from any involvement in the Appellant's petition to the Tennessee Supreme Court, or a replacement Court chosen by the Tennessee General Assembly.

### Law and Argument

Appellant's motion is genuinely being presented to seek a fair, impartial, judiciary as promised by Article 1, Section 17 and Article 6, Section 11, of the Tennessee Constitution, and the 1<sup>st</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> 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... except by consent of all parties."

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."

The minority opinion of the Honorable Andy D. Bennett in a related John Perry - child sex abuse cover-up case (M2018-[REDACTED]COA-R3-CV) is adopted and incorporated by reference as if the same were set forth herein verbatim. Exhibit 4

The Tennessee Supreme Court also issued a ruling on Aug 25, 2021, which stated a Tennessee Judge was obligated to recuse himself even though a Defendant did not file a motion of recusal with the Court (*Brice Cook vs. State of Tennessee - Case # No. W2018-00237-SC-R11-PC*).

Justice Cornelia Clark wrote: “The State argues that the petitioner waived this claim by failing to move for recusal either when the post-conviction judge made the inappropriate comments or during the fifty-one days that elapsed between the oral ruling and entry of the order denying relief. We conclude that waiver is not determinative in the circumstances of this case. As already explained, Rule of Judicial Conduct 2.11 obligates a judge to recuse himself or herself “in any proceeding in which the judge’s impartiality might reasonably be questioned,” even if no recusal motion is filed.”

Justice Cornelia Clark also cited the supervisory power of the Tennessee Supreme Court: “As a result, if, in a future case, this Court determines that a judge has habitually made inappropriate comments that call into reasonable question the judge’s impartiality in a particular category of cases, this Court will not hesitate to hold, in the exercise of its supervisory power over the Judicial Department, that the judge is disqualified from hearing all future cases in that category. See Tenn. Const. art. VI, § 1; *Moore-Pennoyer v. State*, 515 S.W.3d 271, 276 (Tenn. 2017) (citing cases); see also Tenn. Code Ann. § 16-3-501 (2009) (describing this Court’s “general supervisory control over all the inferior courts of the [S]tate”); id. § 16-3-503 (declaring that the Supreme Court has “the power inherent in a court of last resort”); id. § 16-3-504

(declaring that the Supreme Court has “a broad conference of full, plenary[,] and discretionary power”).”

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).

Tennessee 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)).

Tennessee litigants are entitled to have cases resolved by fair and impartial judges. *Davis v. Liberty Mut. Ins. Co.*, 38 S.W.3d 560, 564 (Tenn. 2001); *Leighton v. Henderson*, 414 S.W.2d 419, 421 (Tenn. 1967) (stating that the Tennessee Constitution entitles litigants to the “cold neutrality of an impartial court”); *Kinard v. Kinard*, 986 S.W.2d 220, 227 (Tenn. Ct. App. 1998) (same); *Alley v. State*, 882 S.W.2d 810, 820 (Tenn. Crim. App. 1994) (same). Judges must be fair and impartial both in fact and in perception. *State v. Reid*, 213 S.W.3d 792, 815 (Tenn. 2006) (“[T]he 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.” (quoting *Kinard*, 986 S.W.2d at 228)).

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).

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).

Appellant argues the Tennessee Supreme Court justices have an institutional built-in prejudice in favor of their hand-picked Tennessee Attorney General Herbert Slatery against the

Appellant, especially during the Worrick Robinson – John Perry - Mann Act Federal crime cover-up presently before the Tennessee Supreme Court for the 7<sup>th</sup> time.

Appellant prayerfully petitions the five justices of the Tennessee Supreme Court to exercise “*nostra sponte*” authority to protect the integrity of the Tennessee Supreme Court by recusing from the Appellant’s case which is tainted by the presence and “*conflict of interest*” of the High Court’s appointed Tennessee Attorney General, Herbert Slatery, a long-time childhood friend of Gov. Bill Haslam, and a friend of Gov. Bill Lee’s Judicial Appointment Chairman, Attorney Gif Thornton of Adams and Reese LLP, a Christ Presbyterian Church Elder.

I. The Tennessee Supreme Court Has An Inherent Conflict of Interest With Their Own Appointed Attorney General Herbert Slatery And Six Denied Petitions During a Mann Act Federal Crime Cover-Up

Appellant genuinely seeks his constitutional right to a fair, impartial judiciary in a case which involves an on-going Mann Act Federal crime cover-up that continues to protect Covenant Presbyterian Church, Christ Presbyterian Church, Covenant Member Worrick Robinson, child-molester John Perry, Attorney Larry Crain, former Republican Gov. Bill Haslam, current Republican Gov. Bill Lee, Republican Attorney General Herbert Slatery, WSMV TV, Montgomery Bell Academy, and Republican Federal Judge William “*Chip*” Campbell, Jr., among many other individuals and institutions. Republican Federal Judge William “*Chip*” Campbell, Jr., a Montgomery Bell Academy father, is now presiding over a 2<sup>nd</sup> alleged Mann Act Federal child sex abuse crime as described by 14-year old Gracie Solomon, daughter of former WSMV TV news anchor, Aaron Solomon. Exhibit 8.

Article VI Section 11 of the Tennessee Constitution, and the Tennessee Code of Judicial Conduct Rule 10 and 10B, govern the ethics and the recusal of a Tennessee judge to ensure that every ordinary citizen can receive a fair, impartial judiciary in Tennessee. All five justices of the Tennessee Supreme Court are very well informed and have been provided sworn testimony about John Perry's child sex abuse across state lines via a previous petition denied by the Tennessee Court [REDACTED] vs. *Austin Davis - M2018-[REDACTED]-COA-R3-CV*), and five other petitions also filed with the Tennessee Supreme Court.


Per the Tennessee Supreme Court Rule 10 – Code of Judicial Conduct, the awesome responsibility for the integrity of the Tennessee Judicial System is a primary public trust duty of the elected officers of the Tennessee Supreme Court (Chief Justice Jeffrey S. Bivins, Justice Holly Kirby, Justice Roger A. Page, Justice Cornelia A. Clark, and Justice Sharon G. Lee), and is not the primary responsibility of a defamed, jailed and falsely criminalized innocent Appellant.

In a related John Perry child sex abuse cover-up case entitled [REDACTED] vs. *Austin Davis*" (Case # M2018-[REDACTED]-COA-R3-CV), Civil Appellate Court Judge Andy D. Bennett wrote a minority legal opinion 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 Judicial Conduct: "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 4 - Pg 3.

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.” Exhibit 4 – Pg 1.

The Honorable Andy D. Bennett wrote the minority opinion about the Appellant’s significant recusal issue in a civil lawsuit involving Davidson County Judge Kelvin Jones, a judge who has also presided over several cases involving the Appellant, who is now being investigated by the Tennessee Bureau of Investigation, in similar fashion to ex-Judge Casey Moreland who bound the Appellant over to two secret contaminated grand juries for indictment, and a superseded indictment. See Exhibit 13 of “3<sup>rd</sup> Correction-Modification” Motion filed with Tennessee Court of Criminal Appeals on June 29, 2020, pages 130-146 of 173, at the scanned filing.

The Appellant’s petition to the Tennessee Supreme Court in the related Worrick Robinson - John Perry child sex abuse cover-up case was denied on Feb 27, 2020, even though all five justices of the Tennessee Supreme Court were provided sworn court testimony about John Perry’s child sex abuse via John Perry’s Victim #1, and by Victim #1’s child sex abuse therapist, Caroline Post Cone, a Christ Presbyterian Academy Alumni mother. (Case # M2018--COA-R3-CV),

On Feb 20, 2020, the Tennessee Supreme Court disregarded the minority opinion of The Honorable Andy D. Bennett to deny the Appellant’s petition ultimately rewarding Brentwood Attorney Larry Crain with a \$2.1 million “default” judgment victory against the Appellant.

On Feb 25, 2020, the Tennessee Supreme Court withdrew the judgment/order, and on Feb 27, 2020, the Tennessee Supreme Court designated the denied petition as “not for citation.”

Brentwood Attorney Larry Crain represented not only John Perry's child sex abuse Victim #1, [REDACTED] against Austin Davis, but Attorney Larry Crain also represented protected child-molester, John Perry. In addition, Mr. Crain also now represents Republican Gov. Bill Lee's church, Grace Chapel, in a new alleged child sex abuse dispute which involves 14-year old Gracie Solomon, daughter of former WSMV TV news anchor Aaron Solomon. Exhibit 8.

Brentwood Attorney Larry Crain, is or was, connected to at least 4 alleged child sex abuse cases in Williamson and Davidson Counties, which include: 1) The John Perry – Mann Act Federal crime cover-up at Covenant Presbyterian Church; 2) The alleged gang rape of a 6<sup>th</sup> grade Brentwood Academy student; 3) The alleged sexual assault of a 2<sup>nd</sup> 3-year old victim at Fellowship Bible Church in Brentwood; 4) The alleged Mann Act Federal crime described by 14-year old Gracie Solomon, and the alleged murder of Gracie Solomon's older brother, Grant Solomon.

Tennessee Supreme Court Justice Cornelia Clark recused from the Brentwood Academy alleged gang rape case, and Justice Clark should also recuse from Appellant's case which directly involves Brentwood Academy father Judge Steve Dozier and numerous connections to the John Perry child sex abuse cover-up case, and the alleged Brentwood Academy gang rape lawsuit, and the alleged sexual assaults of 2 three-year old children at Bible Fellowship Church in Brentwood, and the alleged child sex abuse of Gracie Solomon with connections to Gov. Bill Lee's church, Grace Chapel Church, and Grace Christian Academy. Since Justice Clark had some type of conflict of interest with the Brentwood Academy alleged gang rape lawsuit, Justice Clark should not be involved with the Appellant's case since the Appellant was jailed for 18 days



after he provided truthful information to the MBA – Brentwood Academy community on Oct 20, 2017, prior to the MBA spaghetti supper and the MBA vs. Brentwood Academy football game.

Gov. Bill Haslam, Attorney General Herbert Slatery, Attorney Gif Thornton and Federal Judge William “Chip” Campbell, Jr., all have very strong connections and friendships with Christ Presbyterian Church pastors and members, and Republican Federal Judge William “Chip” Campbell, Jr., represented the Nashville Presbytery in two petitions already denied by the Tennessee Supreme Court, to the great harm and detriment of the Appellant: 1) M2014- [REDACTED] SC-R11-CV – Austin Davis vs. Covenant Presbyterian Church, et al – denied Feb 18, 2016; 2) M2015- [REDACTED] SC-R11-CV – Austin Davis, et al, vs. Covenant Presbyterian Church, et al – denied Sept 23, 2016.

On April 23, 2021, Appellant expressed his concerns to Lt. Gov. Randy McNally and Asst. U. S. Attorney Cecil Vandevender about his inability to get a fair, impartial judiciary in Tennessee: “Lt. Gov. Randy 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.” To date, Lt. Gov. Randy McNally and Asst. U. S. Attorney Cecil Vandevender have not responded to the Appellant, or to the Appellant’s banned, bullied and molested daughter.

Exhibit 6

Three days later, on April 26, 2021, Brentwood Attorney Robert Pautienus of Fidelis Law Firm did respond to the Appellant via a “*cease and desist*” letter on behalf of Christ Presbyterian Church and Christ Presbyterian Academy. Gov. Bill Haslam attended Christ Presbyterian Church, Gov. Bill Lee’s children attended Christ Presbyterian Academy, child-molester John

Perry's child attended Christ Presbyterian Academy, and Gov. Bill Lee's Judicial Appointment chairman, Attorney Gif Thornton, is an elder at Christ Presbyterian Academy and a Montgomery Bell Academy – Harpeth Hall father. In addition, the Appellant has also learned that Attorney Parker Brown of Fidelis Law Firm worked as a judicial clerk for Tennessee Supreme Court Chief Justice Jeffrey S. Bivens, which is also a concern for the Appellant. Exhibit 7

As evidence of the Tennessee Supreme Court's bias and prejudice against the Appellant, four of the five justices of the Tennessee Supreme Court have denied six petitions filed by the Appellant since 2014 which were directly related to the Worrick Robinson - John Perry – Mann Act Federal crime cover-up, including one Amicus brief related to the 1<sup>st</sup> Vanderbilt Rape Trial when Covenant Attorney Worrick Robinson falsely used the public criminal trial to further falsely criminalize the Appellant as an alleged "threat" to him and all of those inside the public courtroom. The four justices are: Chief Justice Jeffrey S. Bivins, Justice Holly Kirby, Justice Cornelia A. Clark, and Justice Sharon G. Lee.

All four of these Tennessee Supreme Court Justices also heard the Appellant's 3-minute truthful public statement about the Worrick Robinson - John Perry – Covenant Presbyterian Church child sex abuse cover-up during the Tennessee Attorney General public hearing on Sept 8, 2014.

The six denied petitions against the Appellant include: 1) M2019-01852-SC-A10B-CO – State of Tennessee vs. Willie Austin Davis; 2) M2018-██████-SC-R11-CV – ████████ vs. Austin Davis; 3) M2015-██████-SC-R11-CV – Austin Davis, et al, vs. Covenant Presbyterian Church, et al; 4) M2014-██████-SC-R11-CV – Austin Davis vs. Covenant Presbyterian Church, et al; 5) M2014-██████-SC-UNK-CV – Austin Davis, et al vs. Worrick Robinson; 6) M2014-

██████████-SC-R11-CV – The Tennessean, et al vs. Metropolitan Government of Nashville and Davidson County, et al.

Justice Roger A. Page was not present for the Appellant's 3-minute opinion provided to the Tennessee Supreme Court on Sept 8, 2014, and Justice Page did not serve on the Tennessee Supreme Court during the first 3 rulings against the Appellant. However, Justice Roger A. Page has served on the Tennessee Supreme Court since Feb 22, 2016, and the Tennessee Supreme Court has made 3 rulings against the Appellant to the great benefit of the Worrick Robinson - John Perry - Mann Act Federal crime cover-up. The 3 rulings against the Appellant which included Justice Roger A Page are: : 1) M2019-01852-SC-A10B-CO – State of Tennessee vs. Willie Austin Davis; 2) M2018-██████████-SC-R11-CV – ██████████ vs. Austin Davis; 3) M2015-██████████-SC-R11-CV – Austin Davis, et al, vs. Covenant Presbyterian Church, et al.

The Tennessee Supreme Court denied an “*untimely*” Recusal Appeal From the Court of Criminal Appeals, which was ordered on April 22, 2021. This denied “*untimely*” ruling protected a Mann Act Federal crime cover-up, Covenant Member Worrick Robinson, child-molester John Perry (Christ Presbyterian Academy alumni father), Tennessee Attorney General Herbert Slatery (appointed by the Tennessee Supreme Court with strong friendships at Covenant and Christ Presbyterian Church), Gov. Bill Haslam (attended Christ Presbyterian Church), Gov Bill Lee (Christ Presbyterian Academy alumni father and attends Grace Chapel Church), Attorney Gif Thornton (Christ Presbyterian Elder and Gov. Bill Lee's Chairman of Judicial Appointments Committee), Federal Judge William “*Chip*” Campbell, Jr.(Attorney for Nashville Presbytery in two lawsuits won by fraud), WSMV TV, and many other individual and institutions in Tennessee, and beyond Tennessee.

Appellant has been denied a fair day in court via the fraud, deception, and “*unclean hands*” of Judge Steve Dozier, and “*fraud vitiates everything*” in the procurement of a judgment by a Court. US v. Throckmorton [98 US 61(1978)]

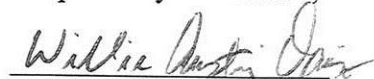
In ruling on the Appellant’s recusal motion now before the Court, the Tennessee Supreme Court will truly decide if “*fraud vitiates everything*” and if a litigant has a fundamental right to have a case heard by fair and impartial judges.

A new Declaration of Willie Austin Davis is incorporated by reference as if the same were set forth herein verbatim. Exhibit 1

#### Conclusion

Therefore, for the reasons stated above, Appellant prays a new independent, fair and impartial High Court will review the facts of this case to protect the Appellant’s Constitutional right to a “*fair day in court*” and a fair, impartial judiciary in the State of Tennessee.

Respectfully Submitted,



Willie Austin Davis  
P.O. Box 159153  
Nashville, TN 37215  
615-999-8190 – [fmdshiloh@aol.com](mailto: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 August 27, 2021, to the following parties:

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



Willie Austin Davis  
P.O.Box 159153  
Nashville, TN 37215  
615-999-8190 [fmdshiloh@aol.com](mailto: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

---

**AFFIDAVIT OF WILLIE AUSTIN DAVIS**

---


In support of the forgoing recusal motion, I, Willie Austin Davis, attest that the following testimony is true and accurate and, under penalty of perjury, state as follows:

1. I am a 66-year-old resident of the State of Tennessee, am competent to provide the testimony stated herein, and make this testimony based on personal knowledge.
2. I am not filing the review of court motion for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
3. I am a whistleblower on the John Perry – Covenant Presbyterian Church child sex abuse cover-up case with mutual connections to at least three other alleged child sex abuse cases in Middle Tennessee: 1) The alleged gang rape of a 6<sup>th</sup> grade student at Brentwood Academy; 2) The alleged sexual assault on two three year old children at Fellowship Bible Church; 3) The alleged sexual assault on 14-year old Gracie Solomon, and the alleged murder of Gracie Solomon's brother, Grant Solomon.
4. I personally received the Supreme Court Board of Responsibility Letter of Jan 2, 2015, and the June 8, 2016, court transcript, which is provided as Exhibit 2.
5. I personally discovered from the internet and printed the information on Judge Steve Dozier, Worrick Robinson, Major Tom Dozier, Don Dozier, Stan Fossick, Gov, Bill Haslam, DA Glenn Funk, and Mayor Marion Barry, which is provided as Exhibit 3.

6. I personally printed the minority Appellate opinion of Judge Andy Bennett in Case # M2018-  
[REDACTED]-COA-R3-CV, which is provided as Exhibit 4.
7. I personally discovered from the internet and printed Herbert Slatery's Supreme Court of Tennessee Application for Tennessee Attorney General and Reporter. I also personally printed the cover page for the State's Reply to my appeal filed on Sept 4, 2020, and the Supreme Court announcement of Herbert Slatery's selection as Attorney General on Sept 15, 2014. I also personally discovered from the internet and printed a Nashville Business Journal article on Herbert Slatery that was published on Dec 30, 2011. I also printed a sworn declaration of Catherine Davis with her emails to Gov. Bill Haslam and Herbert Slatery, and a letter from Gov. Bill Haslam to me which was written on Aug 22, 2012. The information on Attorney General Herbert Slatery is included as Exhibit 5.
8. I personally sent an email to Lt. Gov. Randy McNally and Asst. U. S Attorney Cecil Vandevender which I printed and is included as Exhibit 6.
9. I personally received a "cease and desist" letter from Fidelis Law Attorney Robert Pautienus, on or about, April 26, 2021. I also discovered from the internet and printed information about Fidelis Law Attorney Parker T. Brown, a former judicial clerk for Tennessee Supreme Court Chief Justice Jeffrey S. Bivens. The information is included as Exhibit 7.
10. I personally discovered from the internet and printed a copy of the June 16, 2021, Larry Crain "cease and desist" letter to Medium Writer Shannon Ashley. I also personally discovered from the internet and printed a copy of Medium Writer Shannon Ashley's article: "14yo Gracie Says Her Father Raped Her and Murdered Her Brother." I also personally discovered from the internet and printed a copy of Solomon v. Solomon, et al, which is assigned to Federal Judge William L. Campbell, Jr. The information is included as Exhibit 8.

I declare under penalty of perjury that the foregoing is true and correct. Executed by me this 27th day of August, 2021.

FURTHER THIS AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Willie Austin Davis

STATE OF TENNESSEE )  
COUNTY OF DAVIDSON )

Personally appeared before me, BRIAN K FRAZIER, 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 27 day of August, 2021.

Brian K Frazier

Notary Public

My commission expires: 1/30/2024



My Commission Expires  
January 30, 2024





**BOARD OF PROFESSIONAL RESPONSIBILITY**  
of the  
**SUPREME COURT OF TENNESSEE**

**SANDY L. GARRETT**  
CHIEF DISCIPLINARY COUNSEL

**KRISANN HODGES**  
DEPUTY CHIEF DISCIPLINARY COUNSEL - LITIGATION

**JAMES A. VICK**  
DEPUTY CHIEF DISCIPLINARY COUNSEL - INVESTIGATION  
ETHICS COUNSEL

**BEVERLY P. SHARPE**  
DIRECTOR OF CONSUMER ASSISTANCE

10 CADILLAC DRIVE, SUITE 220  
BRENTWOOD, TENNESSEE 37027  
(615) 361-7500  
(800) 486-5714  
FAX: (615) 367-2480  
www.tbpr.org

**KEVIN D. BALKWILL**  
**ELIZABETH C. GARBER**  
**ALAN D. JOHNSON**  
**WILLIAM C. MOODY**  
**PRESTON SHIPP**  
**EILEEN BURKHALTER SMITH**  
**A. RUSSELL WILLIS**  
DISCIPLINARY COUNSEL

January 2, 2015

**CONFIDENTIAL**

Austin Davis  
5895 Willshire Dr.  
Nashville, TN 37215

Re: AD-11612  
Your Complaint Against Attorney(s) Worrick Robinson

Dear Mr. Davis:

We have received your complaint and given it careful consideration.

This matter appears to be the subject of civil litigation. If the attorney is found to have committed fraud or misrepresentation you may re-file this complaint.

Sincerely,  
**Sandy Garrett**  
Chief Disciplinary Counsel

SG:cg

Ex 2

IN THE CRIMINAL COURT OF THE 20TH  
JUDICIAL DISTRICT IN AND FOR  
DAVIDSON COUNTY, TENNESSEE  
DIVISION III

STATE OF TENNESSEE, )  
PLAINTIFF, )

-VS- CASE NO. 4877

AUSTIN DAVIS, )  
DEFENDANT. )

-----  
Proceedings Held Before  
The Honorable Cheryl A. Blackburn  
-----

June 8, 2016

APPEARANCES:

Mr. Ben Russ  
20th Judicial District  
Nashville, Tennessee 37201  
On behalf of the State,

Mr. Joe Morrissey  
Attorney at Law  
111 Union Street  
Nashville, Tennessee 37201  
On behalf of the Defendant.

Attorney Worrick Robinson used the Vanderbilt  
Rape Trial to criminalize Austin Davis to protect  
a child sex abuse cover-up connected to Pres-  
Politics, Rev. Franklin Graham, Jay Sekulow,  
and the Ukraine.

-----  
Joy Kennedy  
Registered Professional Reporter  
20th Judicial District  
Nashville, Tennessee 37201

Ex2

I N D E X

TAMIKA CLARKE

Direct Examination by Mr. Russ . . . . . 8  
Cross-Examination by Mr. Morrissey . . . . . 18  
Redirect Examination by Mr. Russ . . . . . 24

Ex 2

EXHIBITS

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Late-Filed Exhibit Number 1 . . . . . 7  
(CD of March 17th Hearing)

1 THE COURT: So we're now down to the  
 2 afternoon docket, which is Austin Davis. It's file  
 3 4877. And this comes to me by way of an order by  
 4 Judge Wyatt signed on October the 13th of 2015 saying  
 5 it had been transferred to me. And Judge Watkins had  
 6 recused himself on October the 9th, but he had issued  
 7 an order on October the 1st where he had appointed Mr.  
 8 Morrissey to represent Mr. Davis. And he had, as a  
 9 special prosecutor, assigned Mr. Manuel Ben Russ to  
 10 handle this for the State. All right. Apparently  
 11 according to this he had found Mr. Davis in contempt  
 12 of court on March the 17th of 2015 and suspended the  
 13 sentence. But then on July the 10th he issued a  
 14 second show cause order about recording court  
 15 proceedings March the 17th, and that's when he decided  
 16 to recuse himself. Is that pretty much it?

17 MR. RUSS: I believe that's correct, Your  
 18 Honor. The March the 17th hearing was actually the  
 19 contempt -- or the show cause hearing for the previous  
 20 contempt.

21 THE COURT: Right.

22 MR. RUSS: So what we're proceeding on  
 23 today is the allegation that Mr. Davis recorded -- had  
 24 recorded that hearing itself, March the 17th.

25 THE COURT: Okay. So the actual hearing of

**INNOCENT**  
 Austin Davis did not record or  
 ask anyone else to record.

1 the contempt is the issue that we're here about. That  
 2 was then posted for me -- am I summarizing that  
 3 correctly, Mr. Morrissey?

4 MR. MORRISSEY: I believe so. I think,  
 5 Your Honor, the prohibition is against recording,  
 6 nothing about posting.

7 THE COURT: Okay. Recording the actual  
 8 hearing of the contempt hearing, right?

9 MR. MORRISSEY: Yes, Your Honor, I believe  
 10 that's what the ...

11 THE COURT: So then -- well, I guess  
 12 there's no really indictment to read or anything.  
 13 This is just a trial on the contempt.

14 MR. RUSS: That's correct, Your Honor. My  
 15 understanding is -- it came to me as just a single  
 16 count of contempt, and Judge Watkins felt it would be  
 17 better if someone else heard it.

18 THE COURT: Right. And the punishment for  
 19 contempt is ten days.

20 MR. RUSS: That is the maximum, yes, Your  
 21 Honor.

22 THE COURT: All right. Well, Mr. Russ, do  
 23 you want to make an opening statement or anything?

24 MR. RUSS: Just as briefly as possible.  
 25 I'm going to try to clarify. I think there's going to

Austin Davis did not turn his phone on or record anything during his few hours he attended the Vanderbilt Rape Trial as an invited member of the public.

July 2018-- Former Asst. DA Chad Butler provided a statement to WSMV TV after a patient technician at Vanderbilt Children's Hospital sexually abused an 8-year old girl in her hospital bed: *"Shameful. It's painfully obvious Glenn Funk doesn't take raping and molesting children seriously. Judge Watkins imposed a 1-yr sentence for the crime. The sexual abuse of an 8-year old girl and the rigged trespass conviction of Austin Davis both resulted in 1-year sentences.*

1 be a recording that you're going to hear in just a  
 2 moment, Your Honor, which was posted to the internet.  
 3 It is not a recording or rather the transcript or the  
 4 audio recording from the actual hearing itself that  
 5 the Court has produced. It's a recording that  
 6 somebody produced, which we, of course, are asserting  
 7 was Mr. Davis -- or either he had someone produce it  
 8 or produced it himself and then posted it. In there  
 9 it is explicit that he is not to record the  
 10 proceedings. And obviously as it was a show cause on  
 11 a previous contempt, it wasn't the first time that he  
 12 had been admonished not to record those proceedings by  
 13 Judge Watkins. I think there will be certain  
 14 identifying marks or indications on the recording  
 15 itself that will show that Mr. Davis was the person  
 16 who created that, and I think that's the sum of our  
 17 proof. But I think it will be fairly obvious. I  
 18 apologize to the Court. Mr. Morrissey has had this  
 19 information. I don't -- and I have an ability to play  
 20 it. I don't have a CD to submit to the Court at this  
 21 time. So I would submit it and then perhaps make a  
 22 late-filed exhibit to the Court, an actual hard copy  
 23 to keep as an exhibit to the proceeding.

24 THE COURT: Okay.

25 MR. RUSS: But I'm able to play it for the

Innocent both times.

The state provided zero evidence that Austin Davis recorded or posted the recording but Austin Davis was convicted of "contempt of court" a 2<sup>nd</sup> time anyway.

No proof. What were the "identifying marks?"

Does it even matter if the late exhibit was ever filed?

1 Court today.

2 THE COURT: Okay. But I understand we  
3 cannot play it on the current equipment that we have;  
4 is that right? So how are we to --

5 MR. RUSS: Apparently it's not compatible.  
6 I can play it off of my computer.

7 THE COURT: Okay.

8 MR. RUSS: But apparently my computer is  
9 not compatible with the systems in the courtroom.

10 THE COURT: In this courtroom at this  
11 present time, you're correct. That will be remedied  
12 in a couple of weeks.

13 OFFICER BILLS: The sound will work.

14 THE COURT: Oh, the sound will work.

15 (Whereupon, the previously  
16 mentioned item was marked as  
17 Late-Filed Exhibit Number 1.)

18 THE COURT: Now, Mr. Morrissey, did you  
19 want to make any kind of opening statement?

20 MR. MORRISSEY: Waive, Your Honor.

?????

21 THE COURT: All right. You've waived  
22 opening statement.

23 So we will now proceed with your proof, Mr.  
24 Russ.

Sum of his proof was "identifying marks." What were the "identifying marks?"

25 MR. RUSS: Yes, Your Honor, I would call



1 Ms. Tamika Clarke.

2 THE COURT: All right. Ms. Clarke, if you  
3 would, please, step around. Ms. Clarke, raise your  
4 right hand to be sworn.

5  
6 TAMIKA CLARKE,

7 was called as a witness, and having been first duly  
8 sworn, was examined and testified as follows:

9  
10 THE COURT: All right. Have a seat,  
11 please. Six inches is a good distance on that  
12 microphone. They're in the process of putting new  
13 equipment in our courtroom.

14 DIRECT EXAMINATION BY MR. RUSS:

15 Q. Ms. Clarke, would you give your full name,  
16 please, for the court reporter, ma'am.

17 A. It is Tamika Clarke, spelled T-A-M-I-K-A, last  
18 name is C-L-A-R-K-E.

19 THE COURT: You might need to scoot up just  
20 a little bit. You've got a very soft voice.

21 THE WITNESS: Okay.

22 Q. (By Mr. Russ) How are you currently employed?

23 A. I am a judicial administrative assistant for  
24 Judge Monte Watkins.

25 Q. And how long have you held that position?

Judge Monte Watkins was the  
Vanderbilt Rape Trial Judge  
for 4 trials. Judge Watkins also  
recently denied a "change of  
venue" motion for the trial of  
Police Officer Andrew Delke.

1 A. It will be thirteen years in September.

2 Q. And during 2015 were you in the same position?

3 A. Yes.

4 Q. What are some of your functions that you  
5 perform for Judge Watkins?

6 A. I correspond his -- through his e-mail, voice  
7 mail, regular mail. I type different correspondence  
8 for him. I type up the jury charges. I set  
9 appointments, internships, those sorts of things.

10 Q. And in 2015 did you become aware of who Mr.  
11 Austin Davis was?

12 A. I did.

13 Q. And how is it that you became aware of who he  
14 is?

15 A. He called the office and identified himself by  
16 name.

17 Q. Do you remember approximately when this was?  
18 Not necessarily what day but at least what month?

19 A. It was in January.

20 Q. Okay.

21 A. Of 2015.

22 Q. And you said he called the office, and you had  
23 spoken with him?

24 A. Uh-huh, yes.

25 Q. What was a summation of your conversation with

Judge Watkins and the TN  
Criminal Court of Appeals  
denied Police Officer Andrew  
Delke a "change of venue."  
A new appeal is now before  
the TN Supreme Court. Will  
the family of Daniel Hambrick  
and Officer Delke receive a  
"fair trial," or is the outcome  
already fixed?

1 Mr. Davis?

2 MR. MORRISSEY: I would object to  
3 relevance, Your Honor.

4 THE COURT: Overruled.

5 THE WITNESS: He called and stated that he  
6 had been in the courtroom two days prior during the  
7 Vanderbilt trial, and he stated that he was told not  
8 to come back in and he was trying to get an  
9 understanding as to why. And I explained to him that  
10 I'm normally in the back, and I don't hold a lot of  
11 the information as to what goes on -- why things  
12 pertain to -- who comes in and who comes out. So we  
13 had a discussion about that.

14 Q. (By Mr. Russ) How long would you say your  
15 phone conversation with him was?

16 A. Maybe ten minutes.

17 Q. Now, at that time you stated to Mr. Davis you  
18 weren't really aware of why he had been banned or  
19 anything like that?

20 A. That's correct.

21 Q. At a later time in 2015 did you become aware  
22 of a ruling or an order that Judge Watkins had made  
23 regarding Mr. Davis?

24 A. Yes.

25 Q. What was the basic content of the order that

Austin Davis attended a Vanderbilt Rape pre-trial hearing on Jan 9, 2015. On Jan 14, 2015, Austin Davis was secretly banned from the 1<sup>st</sup> Vanderbilt Rape Trial to protect a Mann Act Federal crime cover-up connected to Presidential Politics, Rev. Franklin Graham, Jay Sekulow, and the Ukraine.

WTVF (Journal Communications) falsely reported to a TV audience that the trial was open to the public. Austin Davis did not realize that Judge Watkins had closed the trial to him.

1 Judge Watkins laid down?

2 A. The order stated that Judge Watkins had a  
3 hearing with him. We had learned that Mr. Davis  
4 recorded my telephone conversation with him, and it  
5 was posted to the internet. And Mr. Watkins -- Judge  
6 Watkins, excuse me, he had a hearing that day telling  
7 him that he was not to record anymore and just not  
8 to -- I don't know if he told him not to come back,  
9 period, but he did explain to Mr. Davis that the Court  
10 holds the discretion of who can come and go in a  
11 proceeding. But at that time he was just telling him  
12 not to record anymore.

13 Q. Okay. And we talked just a moment ago. I  
14 think you heard about a hearing on March the 17th of  
15 2015. Is that what you were recalling just a second  
16 ago in your testimony, or was it an earlier order that  
17 you were referring to?

18 A. I believe that was the one. There were a few  
19 times that Mr. Davis posted some recordings, so I'm  
20 not quite sure on the time line. I think by the March  
21 17th one was when he was telling him not to record  
22 anymore. And if so, he would be held in contempt. I  
23 think it was that one, or it might have been before  
24 that.

25 Q. Okay.

Austin Davis did lawfully record the phone call when he wanted to know why he was secretly banned from a public criminal trial without any explanation.

Should the public even be allowed to attend a court-house trial? Do we even need juries?

1 A. And then he recorded Judge Watkins telling him  
2 not to record, and it was posted to the internet.

3 Q. Okay.

4 A. So then Judge Watkins had another hearing  
5 where he admonished him that second time.

6 Q. Okay. Now, you said that all this stuff was  
7 posted to the internet. How and when did it come to  
8 your attention that these things had happened?

9 A. An attorney, Worrick Robinson, would forward  
10 them to me and would let us know. Once -- because the  
11 first one was when I was recorded, and they -- they  
12 forwarded it to me. That's how it all came after  
13 that.

14 Q. So it was sort of an ongoing basis Mr.  
15 Robinson would --

16 A. Yes.

17 Q. -- supply the chambers of Judge Watkins with  
18 information about what he considered to be  
19 contemptuous behavior on Mr. Davis' part?

20 A. Yes.

21 Q. Okay. And did you either because you wanted  
22 to or because it's part of your duties follow up on  
23 that information Mr. Robinson supplied?

24 A. Yes. Once I would receive them I would open  
25 the e-mail. Sometimes they would just be written

Austin Davis filed a child sex abuse cover-up lawsuit against Worrick Robinson on June 19, 2013, four days before the Vanderbilt Rape occurred, and during the same month that a Harpeth Hall soccer coach was arrested for rape. Worrick Robinson used the Vanderbilt Rape Trial to protect a Mann Act Federal crime cover-up connected to Presidential Politics, Rev. Franklin Graham, Jay Sekulow, and the Ukraine.

Covenant Member Worrick Robinson represented former Ensworth football player Corey Batey. Austin Davis did not know or coach Corey Batey but he was a former lower school head football coach at Ensworth in 1998. Austin Davis did coach Ben Raybin who works with David Raybin, defense attorney for Police Officer Andrew Delke.

1 e-mails, other times they would just be audio  
2 recordings. But I would either read them or listen to  
3 them, and then I would inform Judge Watkins.

4 Q. Now, when you listened to -- this is all of  
5 them, no specific particular recording. But when you  
6 listened to these recordings, who or what -- was it  
7 Mr. Davis talking? Was it a recording of Judge  
8 Watkins? Was it a combination of these things? What  
9 were you able to listen to --

10 A. It was a combination. You would mostly hear  
11 Judge Watkins, and there were times where you would  
12 hear Mr. Davis. And then there were times when you  
13 would hear his attorney speaking on his behalf,  
14 Attorney Cave -- was it Duncan Cave -- you would hear  
15 him as well.

16 Q. And Mr. Davis had employed Mr. Cave to try to  
17 litigate and fight the contempt and the ban that he  
18 had from Division V; is that right?

19 A. Yes.

20 Q. So Mr. Cave was never representing him in any  
21 criminal capacity that you're aware of?

22 A. Not that I'm aware of.

23 Q. Now, after -- the subject of this particular  
24 proceeding is Judge Watkins' show cause order from  
25 July of 2015. And the allegation is that Mr. Davis

Duncan Cave represented the Davis Family in 4 child sex abuse cover-up lawsuits. Worrick Robinson was a defendant in the 1<sup>st</sup> lawsuit filed 4 days before the Vanderbilt Rape case occurred.

1 had recorded a proceeding from March the 17th of 2015.  
 2 Do you recall listening to anything specific that you  
 3 saw posted that would corroborate that?

4 A. Yes.

5 Q. Okay.

6 A. There was an e-mail sent to me that was a  
 7 recording of the March 17th proceeding, and you could  
 8 hear Judge Watkins telling him that that is why he was  
 9 there and that he didn't want any recording done. If  
 10 it was from him or if it was from someone else, they  
 11 were not to record. They were not to publish it to  
 12 the internet in any form. And he informed him that he  
 13 had the authority to tell him, you know, who could be  
 14 in the courtroom to record and who could not. And  
 15 there was a whole recording of Judge Watkins telling  
 16 him not to record.

17 Q. Let me play something for you. I want to see  
 18 if you can recognize it.

19 (Whereupon, the recording begins to play.)

20 Q. (By Mr. Russ) Now, Ms. Clarke, you said that  
 21 you had at least one extended phone conversation with  
 22 Mr. Davis and that you heard several other recordings  
 23 on the internet that were clearly Mr. Davis --

24 A. Yes.

25 Q. -- and you saw him in the video or something

Untrue. Austin Davis did not  
 record the March 17<sup>th</sup> hearing.

Austin Davis did not record or  
 ask anyone else to record.

Why is the "recording" not  
 included in the transcript?  
 Maybe readers should listen  
 to the forbidden recording?

1 like that?

2 A. Yes.

3 Q. The two minutes that we just heard, can you  
4 recognize the person's voice?

5 A. That does sound like Mr. Austin Davis.

6 Q. Okay.

7 (Whereupon, the recording begins to play.)

8 Q. (By Mr. Russ) Ms. Clarke, do you recognize  
9 what was just played?

10 A. Yes, yes.

11 Q. And what is that?

12 A. That was the last show cause hearing that  
13 Judge Watkins held because Mr. Davis or someone else  
14 he had recorded the previous hearing where Judge  
15 Watkins was telling him to not record any proceedings  
16 in our court.

17 Q. And when was the first time -- how do you  
18 recognize that particular recording on the whole  
19 including the beginning portion that you said you  
20 thought to be Mr. Davis?

21 A. How do I recognize --

22 Q. How do you recognize the entire recording put  
23 together?

24 A. Do you mean like how do I know who is on  
25 there?

Austin Davis did not record  
and did not ask anyone else  
to record.



1 Q. No, I mean, when was the first time you heard  
2 that?

3 A. Oh, the first time I heard it, it was the  
4 middle part of last year. Attorney Worrick Robinson  
5 sent it to me, I listened to it, I then notified Judge  
6 Watkins. He listened to it after that.

7 Q. But this recording that we just played you  
8 recognize that to be the same someone you heard mid  
9 2015?

10 A. Oh, yes, that is it.

11 MR. RUSS: Your Honor, I would move to make  
12 that an exhibit. As I stated, I don't have a hard  
13 copy for the Court, but I can supply a late-filed copy  
14 for the Court.

15 THE COURT: Okay. That would be Exhibit 1.  
16 That would be the tape recording of the March 17th  
17 hearing.

18 MR. RUSS: Correct, Your Honor.

19 Q. (By Mr. Russ) It may sound like a strange  
20 question, Ms. Clarke, and I think you've already  
21 answered it, but the person that we heard in that  
22 recording you recognize that to be Judge Watkins,  
23 correct?

24 A. Yes, that's Judge Watkins. That's the second  
25 recording. The first one that was I think on March

Worrick Robinson  
University of TN Alumni  
President (2013-2014) -  
Brentwood Academy Graduate -  
Harpeth Hall Alumna Parent -  
Attorney For Casey Moreland  
and Pac Man Jones

Was the late exhibit ever filed?  
Does it really matter?

1 17th is when he was originally telling him do not  
2 record our proceedings. That's the one after where he  
3 was saying, I told you not to do it and I heard the  
4 audio of me telling you not to record. That's the  
5 second one.

6 THE COURT: Okay. So then what date would  
7 that be?

8 Q. (By Mr. Russ) Are you saying that this  
9 hearing that we just heard was from March the 17th or  
10 from a different day?

11 A. I'm not sure what the date was. I just know  
12 it was the second -- the second time.

13 Q. Correct.

14 A. Now, I could be wrong on the date.

15 Q. So you're saying this is the second time that  
16 Judge Watkins had had a show cause --

17 A. Uh-huh.

18 Q. -- to ask Mr. Davis why these recordings have  
19 been created?

20 A. That's correct.

21 THE COURT: It would have been July the  
22 10th then?

23 MR. RUSS: I believe it was March the 17th.  
24 I believe.

25 THE COURT: Conducted a hearing on March

1 the 17th and found him in contempt and then on July  
2 the 10th he issued a second show cause order notifying  
3 him that he had heard that --

4 THE WITNESS: Yeah, that's the July one.

5 MR. RUSS: I believe that's the show  
6 cause -- what we're hearing. I don't believe that was  
7 ever adjudicated.

8 THE COURT: So this is March 17th then?

9 MR. RUSS: Yes, I believe that's correct.

10 THE COURT: Okay.

11 Q. (By Mr. Russ) Now, you've mentioned that Mr.  
12 Robinson had brought various items and information to  
13 your attention?

14 A. Yes.

15 Q. Was this the latest or last thing that you are  
16 aware of that he brought to your attention, last in  
17 time I mean?

18 A. I believe it was, yes.

19 MR. RUSS: I think those are my questions  
20 right now, Judge.

21 THE COURT: Cross-examination?

22 MR. MORRISSEY: Thank you very much, Your  
23 Honor.

24 CROSS-EXAMINATION BY MR. MORRISSEY:

25 Q. As you just stated, Ms. Clarke, you're not

Did Worrick Robinson have a conflict of interest as a Vanderbilt Rape Trial Lawyer who also was the President of the University of Tennessee Alumni?

Local Media did not report that Worrick Robinson was a defendant in a child sex abuse cover-up case while he was defending an accused rapist.

1 aware of the exact date this was, were you?

2 THE COURT: You need to go over there.

3 MR. MORRISSEY: Judge, I'm sorry.

4 THE COURT: Okay. It's just that that's  
5 the recording mic.

6 Q. (By Mr. Morrissey) Ms. Clarke, good  
7 afternoon.

8 A. Good afternoon.

9 Q. Just as you stated a minute ago you don't  
10 exactly know the date of that recording, do you?

11 A. I don't know the exact date, no.

12 Q. So you don't know when it was recorded?

13 A. I know -- I don't know the time line. I just  
14 know that that was the second one.

15 Q. Okay. And are you aware of any time that Mr.  
16 Austin Davis was brought to court that one of the  
17 court officers would take his phone?

18 A. Yes.

19 Q. Okay. So to your knowledge, listening to that  
20 recording, he wouldn't have had a recording instrument  
21 on him, would he have?

22 A. Not to my knowledge.

23 Q. Okay. And you weren't sitting in the  
24 courtroom when that hearing was happening, were you?

25 A. No.

1 Q. You were sitting in the back?

2 A. Yes.

3 Q. Okay. So you didn't see him with a recording  
4 device, did you?

5 A. No.

6 Q. And you didn't see anybody else in that  
7 courtroom with a recording device because you were in  
8 the back, isn't that right?

9 A. I didn't see them.

10 Q. Okay. Now, you said Mr. Robinson would notify  
11 you of these recordings; is that right?

12 A. Yes.

13 Q. Okay. Isn't Mr. Robinson also the one who  
14 asked the judge to ban him from the courtroom to your  
15 knowledge?

16 A. To my knowledge, like you just stated, I'm not  
17 in the courtroom.

18 Q. Okay. So you don't know?

19 A. That part ...

20 Q. Did Mr. Robinson ever give you a reason as to  
21 why he was sending you these, you know, e-mails that  
22 Mr. Davis had been sending out allegedly?

23 A. The first one when he sent it he was just  
24 asking was I aware of it. And once I heard it and  
25 then I informed Judge Watkins, Judge Watkins was very

Who falsely accused Austin Davis of taking a video recording of a female court officer after hours at a bar during the trial? Have the 1<sup>st</sup> Vanderbilt Rape Trial transcripts been destroyed after a mysterious MisTrial was declared?

1 displeased by that.

2 Q. And that was the recording of you; is that  
3 right?

4 A. Yes.

5 Q. Okay. He was displeased that his judicial  
6 assistant had been recorded and posted onto the  
7 interweb somewhere?

8 A. Yes.

9 Q. Okay. Do you remember the website that it was  
10 posted to?

11 A. No.

12 Q. Did anybody in your office or have you ever  
13 looked for like a GoDaddy domain registration?

14 A. No.

15 Q. Okay.

16 A. I'm busy working.

17 Q. I understand that completely. So did anyone  
18 ever trace where this website was from?

19 A. Not to my knowledge.

20 Q. Okay. So to your knowledge there is a  
21 recording on a website that no one knows who owns it;  
22 is that right?

23 A. Right.

24 Q. Okay. Some recording that was done in your --  
25 in the judge's courtroom; is that correct?

Judge Watkins should be  
displeased that Worrick  
Robinson used the Vanderbilt  
Rape Trial to protect a Mann  
Act Federal crime cover-up  
connected to Presidential  
Politics, Rev. Franklin Graham,  
Jay Sekulow, and the Ukraine.

1 A. Yes.

2 Q. Okay. And also to your knowledge you can't  
3 say he had a recording device on him or anybody in the  
4 courtroom had a recording device, correct?

5 A. It depends on what you mean what I can say. I  
6 can't say that I saw it. I can say it was done  
7 because the recording is right there. Someone  
8 recorded it.

9 Q. Someone did; is that right?

10 A. That I can say.

11 Q. Someone made a recording?

12 A. Yes.

13 Q. And to your knowledge your court officers'  
14 position was to take any devices off of him before he  
15 would come in the Court?

16 A. Correct.

17 Q. Okay.

18 THE COURT: That's a different question  
19 than you asked her first. First you said take his  
20 cell phone, and now you're saying any device. So  
21 that's a separate question.

22 MR. MORRISSEY: Well, that's --

23 THE COURT: You just need to clarify that.

24 MR. MORRISSEY: Yes, Your Honor.

25 THE COURT: You first said just phone and

Austin Davis did not violate  
the court order; did not  
record; and did not ask  
anyone else to record.

1 now you're ...

2 Q. (By Mr. Morrissey) Any device?

3 A. From my knowledge they did ask him about the  
4 cell phone, and Judge Watkins did ask about any other  
5 devices. He also asked about anyone else.

6 Q. Uh-huh. And from you listening to that  
7 recording you clearly heard Mr. Davis say, you know,  
8 he said, I'm not recording -- and I'm paraphrasing --  
9 and I don't have anybody recording for me; is that  
10 right?

11 A. Correct.

12 Q. Okay. Are you the one who typed up the show  
13 causes?

14 A. No.

15 Q. Is that your law clerk?

16 A. Yes.

17 Q. Are you the one who mailed them out?

18 A. No.

19 Q. Okay. So you wouldn't know if they had  
20 certificates of service attached to them?

21 A. I would not be the one to know. The law clerk  
22 does that.

23 Q. The law clerk does that, all right. Do you  
24 know who uploaded it to the internet?

25 A. No.

Judges should not underestimate the bravery of ordinary American citizens who see police or judges or anyone doing something wrong, and decide to use their cell phone to record.



1 MR. MORRISSEY: Okay. If I could have just  
2 one moment, Your Honor.

3 THE COURT: Okay.

4 Q. (By Mr. Morrissey) And, Ms. Clarke, on these  
5 days where these recordings were done, these were full  
6 courtrooms, busy courtrooms?

7 A. They were regular court dates.

8 Q. Okay. On a regular court date are there  
9 normally several individuals?

10 A. Yes.

11 Q. More than a handful?

12 A. Yes.

13 Q. Okay. And that's including attorneys --

14 A. Yes.

15 Q. -- or people in the gallery as we have here  
16 today?

17 A. Yes.

18 Q. Okay. More than ten?

19 A. It depends on the day, but normally, yes.

20 Q. Okay. Thank you very much.

21 MR. RUSS: Just a brief follow-up, Your  
22 Honor.

23 REDIRECT EXAMINATION BY MR. RUSS:

24 Q. If I could approach briefly. Ms. Clarke, this  
25 is -- the recording you just listened to, can you tell

Harpeth Hall Attorney Brent  
Usery, and other people, were  
present for the contempt trial.  
The Vanderbilt Rape Trial was  
used to protect a Mann Act  
Federal crime cover-up which  
is still on-going with no statute  
of limitations.

Has Brent Usery  
fled Tennessee too?

1 what website that's on?

2 A. No.

3 Q. Can you --

4 A. Oh, YouTube.

5 Q. Okay. So would that probably be where it was  
6 posted to?

7 A. Yes, that's what I would assume.

8 Q. Mr. Morrissey just asked you if you were aware  
9 of whether they -- they being the Court staff -- took  
10 Mr. Davis' phone. You said that was your  
11 understanding?

12 A. Yeah.

13 Q. The judge asked you and I was going to follow  
14 up, are you aware of whether that meant he had no  
15 recording devices at all after his phone had been  
16 confiscated?

17 A. No, I did not know that.

18 Q. Well, so it's possible that he may have even  
19 if the Court staff took his phone, right?

20 A. Correct.

21 Q. You were also asked whether you were aware or  
22 not of whether he had anybody else recording something  
23 for him?

24 A. Right.

25 Q. Were you aware of whether the Court staff was

Austin Davis was the only citizen  
taken from the courtroom into  
the jail area for a spread eagle  
physical search.

1 instructed to take any cell phones or other recording  
2 devices from anybody who accompanied Mr. Davis?

3 A. I can't recall. I do know that if it was a  
4 regular court date you can't always tell who comes in  
5 with who and who is accompanying who. So I don't know  
6 if they were going to search everyone in the  
7 courtroom.

8 Q. Well, regardless, you weren't aware of whether  
9 they had been asked to do that?

10 A. Correct.

11 Q. Even if they could identify who Mr. Davis came  
12 or didn't come with?

13 A. That's correct.

14 Q. The only thing you were aware of is that they  
15 had been instructed to take his particular cell phone?

16 A. Correct.

17 Q. So any other recording device he may have had  
18 and any recording device anyone else with him may have  
19 had you don't have any knowledge about anyone  
20 prohibited that or not?

21 A. Correct.

22 Q. By prohibited I mean physically took it away.

23 A. Correct.

24 MR. RUSS: That's all I have, Judge.

25 MR. MORRISSEY: Nothing on recross, Your

Should the TN Supreme Court  
confiscate all cell phones from  
citizens and visitors who enter  
a Tennessee Courthouse?

Austin Davis was the only citizen  
taken from the courtroom into  
the jail area for a spread eagle  
physical search.

1 Honor.

2 THE COURT: May she be excused, or do you  
3 need her to stay?

4 MR. RUSS: I don't intend to recall her. I  
5 wasn't -- Mr. Morrissey mentioned before he started he  
6 may want to, but I'm not sure he still does.

7 MR. MORRISSEY: I don't believe I'll need  
8 to recall her, Your Honor.

9 THE COURT: Okay. So may she then go back  
10 downstairs?

11 MR. RUSS: Yes.

12 THE COURT: Okay. Thank you, ma'am.

13 THE WITNESS: Thank you.

14 MR. RUSS: Your Honor, that's all our  
15 proof.

16 THE COURT: Okay.

17 MR. MORRISSEY: Your Honor, at this point I  
18 would make a motion for a judgment of acquittal if I  
19 may be heard on that.

20 THE COURT: Go ahead.

21 MR. MORRISSEY: Your Honor, we find  
22 ourselves in one of those more unique situations that  
23 require a great bit of research. Contempt requires  
24 willfulness. This is also a beyond a reasonable doubt  
25 proceeding. The testimony that you've heard and what

What were the "identifying marks  
for the special prosecutor's sum  
of proof?

No proof provided. No proof  
needed to win a conviction.

1 was played was -- and there's never been any  
2 impeachment of his character or statements -- was that  
3 he did not record and he did not have anyone recording  
4 for him. Ms. Clarke testified she knew -- it was  
5 known to her that whenever he came into the courtroom  
6 his phone, if you want to be more specific, was taken  
7 from him. She testified that that was a regular  
8 occurrence. So I would submit to the Court that the  
9 State has failed to show that he actually recorded  
10 this.

11 Secondly she stated that she was unsure if  
12 other people had recorded this. Well, Your Honor,  
13 this requires specificity. If the State can't point  
14 to who recorded this, that's going to be a very --  
15 that's a difficult burden for them to carry in this  
16 court. Mr. Davis for all intents and purposes could  
17 have received an e-mail with this from a concerned  
18 citizen who saw someone they thought was getting their  
19 rights trampled in a court, not being able to speak  
20 for themselves, not having a full and fair hearing on  
21 the initial contempt. They could have sent it to him  
22 because they didn't believe that was right. That's  
23 not an agent of him. That's a concerned citizen who  
24 was sitting in a courtroom they hadn't been banned  
25 from.

**Innocent:** Austin Davis did  
**not** record or post.

Austin Davis would not name  
the citizen and was prepared to  
go to jail to by taking the 5<sup>th</sup>  
Amendment to protect the citizen.

1 Further, Your Honor, I believe that you  
 2 can't -- the State has failed to show that he  
 3 willfully disobeyed this order from the 17th. The  
 4 only thing -- the only thing the order says is do not  
 5 record. I don't think the State has proven to you  
 6 beyond a reasonable doubt that he did make this  
 7 recording. I think what the State has shown you is he  
 8 might have. And unfortunately in a contempt  
 9 proceeding might have is not good enough.

10 Now, in this proceeding it says nothing  
 11 about posting it. If he received a recording and  
 12 posted it, there's nothing in this order that says  
 13 that's unacceptable behavior to the Court. Now, that  
 14 may have been what Judge Watkins said in open court,  
 15 but what was reduced to writing and what's part of  
 16 your record is the fact that it says don't record  
 17 anything, shall not record is what -- or videotape any  
 18 court proceedings. And I would say, Your Honor, they  
 19 haven't shown to you that he actually did record  
 20 anything.

21 Further, Your Honor, if you look at the  
 22 orders, the show cause, all they have is a cc Duncan  
 23 Cates Cave and a cc Roger Moore. There is no  
 24 certificate of service. And as this is a quasi civil  
 25 criminal action, they have failed under 503 to provide

No proof needed. A conviction was needed to defame, discredit, and criminalize Austin Davis to protect a Mann Act Federal crime cover-up connected to Presidential Politics, Rev. Franklin Graham, and the Ukraine.

Why so much "secrecy" about a public hearing?

Why didn't Roger Moore prosecute Juror 9 for wasting tax-payer money and causing a mysterious MisTrial?

1 proper service.

2 I also would argue, Your Honor, under 42B  
3 advisement of rights in a contempt proceeding, that  
4 this is a very scant, very scant, saying what he has  
5 been charged with contempt for and giving him an  
6 adequate amount of time to prepare for that initial  
7 hearing. Your Honor, those are two lesser arguments  
8 that I would make.

9 I think the main argument I'm trying to put  
10 forth in front of Your Honor is that the State has  
11 failed to show beyond a reasonable doubt that Mr.  
12 Davis recorded the proceeding of March 17th. I think  
13 the State has shown well that he published it. He put  
14 it on the internet. Now, what website -- that's him.  
15 There's nothing that prohibits him from publishing  
16 documents or recordings. There's nothing prohibited  
17 about that in the rules of law. And initially, Your  
18 Honor, the initial phone call between him and the  
19 judicial secretary, administrative assistant, there  
20 was nothing wrong with that. How offensive it may  
21 have been to Judge Watkins, in Tennessee you may  
22 record a conversation so long as one person is aware  
23 of the recording. And that could be the recorder.

24 THE COURT: Unless the Court tells you that  
25 you can't.

No hard proof is needed in Davidson County to obtain a conviction.

Judge Watkins punished Austin Davis for legally recording a phone call to determine why his civil rights were violated for attending a public criminal trial advertised as open to everyone by WTVF (Journal Communications).

1 MR. MORRISSEY: Sure, Your Honor. But at  
2 that point no one had said anything. He recorded and  
3 published that to the internet and was called to court  
4 because of it.

5 THE COURT: Okay.

6 MR. MORRISSEY: Now, on the 17th, no  
7 recording devices. A member of -- a member of out  
8 here sitting in the gallery might not have liked what  
9 they heard and recorded it, much like the State hasn't  
10 been able to show to Your Honor that he beyond a  
11 reasonable doubt both recorded that hearing. I think  
12 the State has failed in their burden.

13 THE COURT: Care to be heard, Mr. Russ?

14 MR. RUSS: Briefly, Your Honor. I think  
15 Mr. Morrissey has replaced his judgment of acquittal  
16 argument with his closing argument. All we have to do  
17 at this point is in the light taken most favorable to  
18 the State show that the trier of fact has an issue in  
19 dispute. And I think that's clearly been done. But  
20 to address his arguments a little more thoroughly,  
21 first of all, if there's a service issue at this  
22 point, I think it's been waived. He has counsel, he's  
23 here, and has had almost a year to develop whatever  
24 his defense may be to this allegation.

25 Second, I think Mr. Morrissey is confusing

Austin Davis did not put the  
recording on the internet. Maybe  
readers should listen to the forbidden  
recording?

**RIGGED.** All of the process is  
favorable to the State of  
Tennessee vs. the Defendant.



1 his hearings. He's being held in contempt potentially  
 2 in this instance for what he did March the 17th that  
 3 he was directly admonished in front of the Court not  
 4 to do subsequent to March the 17th. So anything that  
 5 he may have done in recording Ms. Clarke and posting  
 6 that, et cetera, et cetera, it's really not relevant  
 7 to this issue. He was told on March the 17th in open  
 8 court by Judge Watkins, do not record this, do not  
 9 have anybody else record this. And I heard him say,  
 10 leave this court alone. So to argue what Mr.  
 11 Morrissey has I think admitted that Mr. Davis clearly  
 12 was the person who posted that to YouTube but that he  
 13 wasn't the person who recorded it directly and wasn't  
 14 causing someone to record it is a little bit  
 15 farfetched. If you will hear where it cuts in, it  
 16 cuts in immediately when he's called up to the podium  
 17 to be addressed by the Court. The argument that a  
 18 concerned citizen would suddenly determine that's the  
 19 moment that they needed to begin recording and then  
 20 end it as soon as Judge Watkins finished his dialogue  
 21 with Mr. Davis is frankly preposterous.

22 Further on top of that the only defense he  
 23 really has is that Mr. Davis said he didn't do it,  
 24 which hasn't really been a good enough excuse in lots  
 25 and lots of cases that are a lot more serious than

Ben Russ' malicious prosecution of Austin Davis to protect a Mann Act Federal crime cover-up connected to Presidential Politics, Rev. Franklin Graham, Jay Sekulow, and the Ukrain

Austin Davis never admitted recording or posting anything to the internet, and did not authorize Attorney Joe Morrissey to admit anything on his behalf. Austin Davis wanted to testify but Attorney Joe Morrissey advised him not to since State failed to prove their case.

A defendant is presumed innocent. Special Prosecutor Ben Russ had the full burden to prove guilt. Does Mr. Russ believe we have a system where a Defendant is "guilty" until innocence is proved?

1 this. The only thing that he is saying that is  
 2 defending Mr. Davis' conduct is the fact he denied the  
 3 conduct. Again, I think the circumstantial evidence  
 4 is overwhelming that he caused this to be recorded,  
 5 and he is admitting through his counsel at this point  
 6 that he posted it himself. I would argue that the  
 7 Court's order encompasses not posting this regardless  
 8 of how it came into his possession because that's  
 9 clearly what the Court was upset about and addressed  
 10 him about for the third time, I believe, in the March  
 11 17th hearing.

12 And, again, as a catchall that might be  
 13 vague, the Court quite frankly said, leave this court  
 14 alone. I think then posting recordings that came to  
 15 you however they may have come is certainly not  
 16 leaving the Court alone. It's flying in the face of  
 17 what the Court has told you to do. So I think at a  
 18 very bare minimum this defeats the JOA argument. But  
 19 I'll leave it at that at this point.

20 THE COURT: The original order it looks  
 21 like, February the 26th of 2015, basically says that  
 22 Mr. Davis is not to have any contact whatsoever with  
 23 the Criminal Court of Davidson County Division V and  
 24 any pending case unless he is a party. And this was  
 25 copied to Mr. Cave who was his attorney at the time

Austin Davis did not post.

Austin Davis did not authorize  
 Attorney Joe Morrissey to  
 admit anything.

Leave this court alone? Is Judge  
 Watkins a God beyond account-  
 ability to Nashville citizens and  
 the law? Can the family of  
 Daniel Hambrick, or Officer Delke,  
 or any citizen expect a fair trial  
 with DA Glenn Funk and Judge  
 Watkins involved?

Does this sound like  
 America or North Korea?

1 and who had filed multiple petitions. Apparently they  
2 had been -- Mr. Cave had filed multiple things about  
3 open court. Let's see. Here is a motion filed  
4 February 6th by Mr. Cave indicating he was the  
5 attorney of record. The show cause order finding him  
6 in contempt was March the 17th, and it talks about not  
7 to -- to put up his phone, not video or record any  
8 phone calls. So basically the only issue right now at  
9 this stage is whether the State has put in sufficient  
10 proof that, one, would allow this to go to the trier  
11 of fact on the fact he had been ordered not to record,  
12 whether it was recorded.

13 The issue of posting on the internet came  
14 later than the March the 17th, however, listening to  
15 that tape recording it's clear it was recorded at the  
16 hearing. It is also clear it was posted by the  
17 defendant given the preliminary matter about talking  
18 about that. The voice was identified by the assistant  
19 as being that of Mr. Davis. So I'll deny your motion  
20 at this point.

21 All right. Do you have any proof?

22 MR. MORRISSEY: No proof on our side, Your  
23 Honor.

24 THE COURT: Okay. Now we're down to the  
25 issue of, I guess, beyond a reasonable doubt. So, Mr.

An intervening motion was filed  
and ignored by Judge Watkins  
during the trial.

Special Prosecutor Ben Russ  
relied on allegations and failed  
to provide rock-solid proof.

No surprise.

1 Russ?

2 MR. RUSS: Well, I guess to pick up where I  
3 just left off, Your Honor, I think -- first of all, I  
4 don't think that the State would concede that Mr.  
5 Davis has not violated the Court's order simply by  
6 posting it regardless of how it came into his  
7 possession. I would think if you listen to the audio  
8 that Judge Watkins instructed Mr. Davis to leave this  
9 court alone, to not record, not have anybody else  
10 record, and then spent much of the time discussing the  
11 previous postings. I think the Court was being very  
12 clear, regardless of the vague language of the term  
13 leave this court alone, that he didn't want anything  
14 else posted. I think he took the time to talk about  
15 how offensive he had found Ms. Clarke's previous  
16 recorded conversation and the posting of that to be.  
17 So I don't think Mr. Davis could have possibly walked  
18 away with the impression that Judge Watkins thought it  
19 was okay to post these things on the internet if Mr.  
20 Davis himself or an agent of Mr. Davis had not done  
21 the recording. I think the Court was very clear that  
22 he did not want things posted that had been recorded  
23 and was extremely clear that Mr. Davis was not the one  
24 who was supposed to do the recording. So I wouldn't  
25 concede that regardless of how that recording came

Should tax-paying citizens  
"leave all courts alone?"  
Judge Casey Moreland was  
"left alone" until WSMV TV  
reported on Judge Moreland's  
text messages: "Damn your  
hot... just used my super-  
powers... my desk still has  
butt marks on it." WSMV TV  
also reported that ex-Judge  
Casey Moreland and Judge  
Monte Watkins were in Costa  
Rica at the same time. But  
WSMV TV still protects Judge  
Monte Watkins, Judge Casey  
Moreland, Judge Steve Dozier,  
Judge Cheryl Blackburn, and  
a Mann Act Federal crime cover-  
up connected to Presidential  
Politics, Rev. Franklin Graham,  
Jay Sekulow, and the Ukraine.

1 into being I would say Mr. Davis is in contempt of the  
2 Court's order by posting it regardless of how it was  
3 created.

4           Primarily or secondarily, depending on how  
5 you want to look at it, I think that it is  
6 circumstantial but difficult to contemplate how anyone  
7 other than Mr. Davis or someone acting on Mr. Davis'  
8 behalf would have recorded this. I don't find that  
9 there could be any logical or meritorious way to argue  
10 that some other person that had no vested interest and  
11 no instruction on behalf of Mr. Davis took it upon  
12 themselves to record that specific portion of that day  
13 in that division in that county and then send it to  
14 him so that he could do with it what he will.

15           I don't know if the defense is going to  
16 argue this, but I don't think they could argue it very  
17 logically to say that if Mr. Davis had instructed  
18 someone else to record this and he had not done it  
19 himself I certainly think that's still contemptuous  
20 and was circumventing the Court's order. But even if  
21 that had been the case, Judge Watkins specifically  
22 admonished him not to have anybody record it on his  
23 behalf during the proceeding on March the 17th. So I  
24 think the only real defense that the defense is  
25 putting up here is to say we don't have an admission

Special Prosecutor Ben Russ does not seem to understand that many people in a courtroom are victims, defendants, or families of victims and defendants.

Average, ordinary citizens sometimes don't like what they see a judge doing, and sometimes average, ordinary citizens are brave to exercise their own individual citizen power.

1 from Mr. Davis that he caused the recording to be  
 2 created or created it himself, and that has never been  
 3 sufficient -- I mean, simply a denial when all the  
 4 other circumstantial facts point to guilt is not  
 5 sufficient. I think we've certainly met our burden  
 6 beyond a reasonable doubt that he either recorded this  
 7 or caused it to be recorded in willful violation of  
 8 the Court's clear order not to record it. And however  
 9 it came to be created I still think that he would be  
 10 in violation by posting it, in violation of the  
 11 Court's order, because I think the Court was clear  
 12 that he did not want it posted. So I would ask you to  
 13 find that he has been -- has willfully violated Judge  
 14 Watkins' court order of March the 17th by recording  
 15 that or having it recorded and then posting it to the  
 16 internet. I think he's clearly then in contempt of  
 17 what Judge Watkins ordered him not to do.

18 THE COURT: Just before -- just out of  
 19 curiosity for the Court if Mr. Davis was so offended  
 20 by either being excluded from the courtroom or told he  
 21 couldn't record, why didn't he appeal Judge Watkins'  
 22 order. Why did he go ahead and do it again? I mean,  
 23 if you think it's unconstitutional, if you think the  
 24 Court is in error, isn't there a proceeding for which  
 25 you appeal the Court as opposed to flagrantly doing it

Special Prosecutor Russ had zero  
 proof, but Judge Blackburn did  
 not need any proof. RIGGED.

The Davis family was involved in 4  
 child-sex abuse cover-up related  
 lawsuits and did not wish to be  
 involved in another appeal in a  
 case involving powerful attorney  
 Worrick Robinson.

1 anyway?

2 MR. MORRISSEY: Well, Your Honor, I think  
3 that sometimes if you -- as Your Honor has reviewed  
4 that file fairly closely, they fought him being kicked  
5 out of the courtroom.

6 THE COURT: I know, but my question is  
7 thusly stated. If you are that upset about that, what  
8 you do is you appeal a court's order, correct?

9 MR. MORRISSEY: You do, Your Honor, yes.

10 THE COURT: You don't violate it. You  
11 appeal it and have a higher court either take your  
12 side or not take your side. So until that happens  
13 that order still stands, correct?

14 MR. MORRISSEY: Yes, Your Honor, until --

15 THE COURT: Okay.

16 MR. MORRISSEY: -- relief is granted.

17 THE COURT: So now we're down to the issue  
18 that I thought you were arguing is that because the  
19 order issued on March the 17th doesn't specifically  
20 say posting that -- and you can't prove that he  
21 actually recorded it, it could have been some gnome  
22 somewhere, that that's not a violation of the Court  
23 order. Is that your defense?

24 MR. MORRISSEY: That's part of my argument,  
25 Your Honor.

An intervening motion was  
filed and ignored by Judge  
Watkins during the trial.

1 THE COURT: Okay.

2 MR. MORRISSEY: I think what Mr. Russ  
3 brought up when he was responding to my JOA about the  
4 audio started at this one point, well, the fun thing  
5 about recordings is they can be trimmed, they can be  
6 made to fit. So there could have been more time than  
7 that recorded on that thing that was trimmed to fit.  
8 He can't -- the State cannot show you that there was  
9 any sort of --

10 THE COURT: Well, if that's the case, then  
11 you haven't produced any evidence of that.

12 MR. MORRISSEY: Your Honor, the thing is we  
13 don't have to.

14 THE COURT: Well, I mean, don't argue  
15 something that there's no evidence in the record.

16 MR. MORRISSEY: I think, Your Honor, the  
17 inference that he was attempting to have this court  
18 make was that that was the entirety of the clip. All  
19 I'm saying, Your Honor, is there could be more. If  
20 everything is based off of circumstantial evidence,  
21 which I believe that this case is one hundred percent  
22 circumstantially, surely the Court would take notice  
23 that could be a trimmed copy.

24 Now, Your Honor, contrary to what Judge  
25 Watkins said in court about prohibiting him from



1 posting anything, the only thing that was reduced to  
2 the order was not to record. Contrary to Mr. Russ'  
3 argument that he said stay away from this court, that  
4 was not reduced into this order that we are here on.  
5 What we're here on, it says do not record. It doesn't  
6 say anything about don't have anyone else record,  
7 though, I am not admitting that's what he did because  
8 that's not what he did. Someone else recorded it and  
9 sent it to him.

10 Now, Your Honor, the State has failed to  
11 show you that he violated this order, the strict  
12 reading of the order, saying do not record. No one  
13 that they put on showed that he recorded it, recorded  
14 anything. Quite to the contrary you have the judicial  
15 secretary testify to the fact that he didn't have any  
16 phone on him. When asked again if he had any  
17 listening device, she first said yes and then she said  
18 she didn't know. Your Honor, I don't think that the  
19 State can show you that he violated this court order  
20 by posting something that might have been sent to him.

21 THE COURT: Okay. I need to hear it  
22 because it was very hard for me to hear, everything  
23 Judge Watkins said. I need to listen to that tape  
24 again. But let me be clear in case there's any  
25 confusion. There better not be any recording of this

1 hearing nor it posted on the internet. Now, that's a  
 2 direct order. In case people can't hear that, don't  
 3 do it. I just want to listen to that tape again. But  
 4 I'm telling very clearly that this hearing should not  
 5 have been recorded, is not to be recorded, and most  
 6 definitely is not to be posted on the internet.

7 That's a clear statement. Now, let me -- can I hear  
 8 that? Can I go back to my office and listen to that  
 9 again because it was so hard to hear. I'll take this  
 10 under advisement for a few minutes. Let me hear that,  
 11 and I issue a ruling in a minute.

12 MR. MORRISSEY: Your Honor, I had one final  
 13 argument to make.

14 THE COURT: Okay.

15 MR. MORRISSEY: When we look at publishing  
 16 things online and the role of that, that is kind of --  
 17 that's become the newspaper. That's become the new  
 18 information source for a lot of individuals  
 19 nationwide. The information that was published onto  
 20 the internet could very well fall under protection of  
 21 free speech.

22 THE COURT: Not when a court tells you not  
 23 to do it. Listen to me. When a court issues an  
 24 order, if you don't like it, you appeal it. You don't  
 25 flagrantly not do it. Now, apparently Mr. Cave argued

Why was there so much "secrecy"  
 about the 1<sup>st</sup> Vanderbilt Rape Trial  
 which was later declared a  
 Mistrial?

The secret ban effectively  
 closed the trial to the public?

Judge Blackburn has been crystal  
 clear to communicate that Austin  
 Davis does NOT have 1<sup>st</sup> Amend-  
 ment civil rights in Nashville.

1 about Rule 30. Rule 30 doesn't apply to this  
2 situation. Even that is subject to the Courts. So  
3 I'm going to listen to that again, okay?

4 MR. MORRISSEY: Yes, ma'am. Thank you,  
5 Your Honor.

6 (Short break.)

7 THE COURT: All right. We need Mr. Russ.  
8 There we go. Does anybody want to argue anymore or  
9 just go through this?

10 (No response from attorneys.)

11 THE COURT: I have relistened and this time  
12 I could actually hear what was being said on the  
13 recording that was made of the March 17th hearing.  
14 And in that Judge Watkins said he was not to be  
15 recorded, and he didn't want to see it on the  
16 internet. And if he did, he was going to issue  
17 another show cause order. That's clear in the tape.  
18 And he said, leave this court alone. Now, the actual  
19 written order that he issued -- and I think we were --  
20 I was reading from that earlier. Here we go. He  
21 said -- it was a direct verbal order to put up his  
22 phone and not to video or record any court proceedings  
23 on February the 13th. The Court finds he has recorded  
24 and published various entities, the proceedings of  
25 February the 13th, despite being ordered by the Court

A defendant is not allowed to record his own hearing, or to review the State's recording to ensure transcript accuracy. A defendant must accept the State's transcript as the unquestioned gospel.

How many innocent people are jailed in Davidson County? Does it really matter?

1 to not record, therefore, he finds him in contempt and  
 2 suspends a sentence. He orders Mr. Davis to cease all  
 3 communications with the Court, and failure to comply  
 4 with this court's order may result in contempt and  
 5 confinement.

6 And the July the 13th, 2015, order says he  
 7 was found in contempt of violating the direct verbal  
 8 order to put up his phone and not to video record.  
 9 He's been notified once again that he recorded and  
 10 posted it on his social media, therefore, he must  
 11 appear in court.

12 So there was a direct order in that hearing  
 13 not to post on the internet, that that would be a  
 14 violation. So a direct order from the Court from the  
 15 bench, even though maybe not in writing, is still an  
 16 order.

17 Now, he also said, leave this court alone.  
 18 Now, apparently there's several different defenses  
 19 going on here, one of which is about First Amendment.  
 20 I assume from that, Mr. Morrissey, you're trying to  
 21 claim some sort of newspaper, newsman, media  
 22 exemption. Well, if that's the case, then you have to  
 23 comply with Rule 30. And there was no even remote  
 24 attempt for Rule 30 to be complied with in this case  
 25 because that was you have to give the Court notice.

Austin Davis believes that every citizen should receive a fair trial, including Police Officer Andrew Delke. Officer Delke requested a "change of venue" which Judge Watkins denied. Will the victim and Officer Delke receive a fair trial before Judge Monte Watkins? Is the victim's family well served if a trial is overturned in the future?

Individual American citizens are  
 protected by the First Amendment,  
 not just Media Corporations.

Nashville police officer Andrew Delke reprimanded  
 for not using gun prior to Hambrick shooting -  
 Associated Press - Published 10:59 a.m. CT Jan. 28, 2020  
 Police Firearms Complex Named For Major Tom Dozier -  
 Father of Judge Steve Dozier, and brother of Don Dozier

1 And that was not done here at any point, that there  
2 was any notice given. So Rule 30 -- and the Court has  
3 great discretion with regard to Rule 30.

4 Now, even if you didn't like what the court  
5 said, there is a way to deal with it. That is, appeal  
6 it, a motion to rehear, whatever, but you don't  
7 directly violate a court order just because you don't  
8 like it or you don't think it applies to you. So I  
9 think that really based on the fact that Judge Watkins  
10 made it clear I don't want to see this on the internet  
11 again and to leave the Court alone, I'm going to find  
12 that that is a direct order that the defendant did  
13 violate.

14 Now, what am I going to do about that? I  
15 am going to sustain that he -- or find that he was in  
16 contempt. I'm not going to punish him in any way  
17 because he's already been told. I'm going to find him  
18 in contempt. I guess I'll just suspend any -- a day  
19 sentence, I'll suspend a day sentence. That would be  
20 my order. Now, I'm also ordering, just so it's clear  
21 since there's been no Rule 30 request in this court,  
22 whatever, that nobody -- that anybody should have  
23 recorded this. If there's a recording, it better be  
24 destroyed and it certainly is not to be posted on the  
25 media because then you're going to be in direct

Judge Blackburn decrees a "guilty"  
verdict like God Almighty without  
any proof.

Why so much secrecy?

1 contempt of my court order. Because there's no reason  
2 why this should be on the internet, and there's never  
3 been a Rule 30 request in this court. So one day  
4 suspended, and that's my order. I'm going to issue a  
5 written order. It will be served on both counsel.

6 Okay. Is there anything we need to do from  
7 this?

8 MR. RUSS: I would ask to be relieved.

9 THE COURT: I guess what I'll need to do is  
10 issue a written order so that -- about finding him in  
11 contempt, and it's one day suspended.

12 MR. MORRISSEY: Thank you, Your Honor.

13 THE COURT: That would be it. Do you want  
14 to be relieved also?

15 MR. MORRISSEY: I would also request to be  
16 relieved, Your Honor, but I will make sure he gets the  
17 documents.

18 THE COURT: Do what now?

19 MR. MORRISSEY: I will make sure he gets a  
20 copy of the Court ruling.

21 THE COURT: All right. I will relieve both  
22 parties. This should hopefully be the end of this.  
23 We don't need to -- just let it end I guess is the  
24 best way to say it. Just let it end. All right.  
25 Okay.

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MR. MORRISSEY: Thank you very much, Your Honor.

\* \* \* \* \*

1 I the undersigned, Joy Beth Kennedy, official  
2 court reporter for the 20th Judicial District of the  
3 State of Tennessee, do hereby certify the foregoing  
4 transcript is an accurate reflection of the contents  
5 of the compact disc of the June 8th, 2016, hearing and  
6 was transcribed to the best of my ability.

7 I further certify that I am neither attorney  
8 for, nor related to the parties to this cause and  
9 furthermore that I am not a relative of any attorney  
10 or counsel of the parties hereto or financially  
11 interested in the action.  
12  
13  
14

15   
16

17 Joy Beth Kennedy, Official Court Reporter  
18 Division III  
19  
20  
21  
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23  
24  
25



JUDGE  
**STEVE DOZIER**  
CRIMINAL COURT DIV. I



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📅 Date 📅  
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909 20th Ave. South  
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TUESDAY  
March 4  
2014

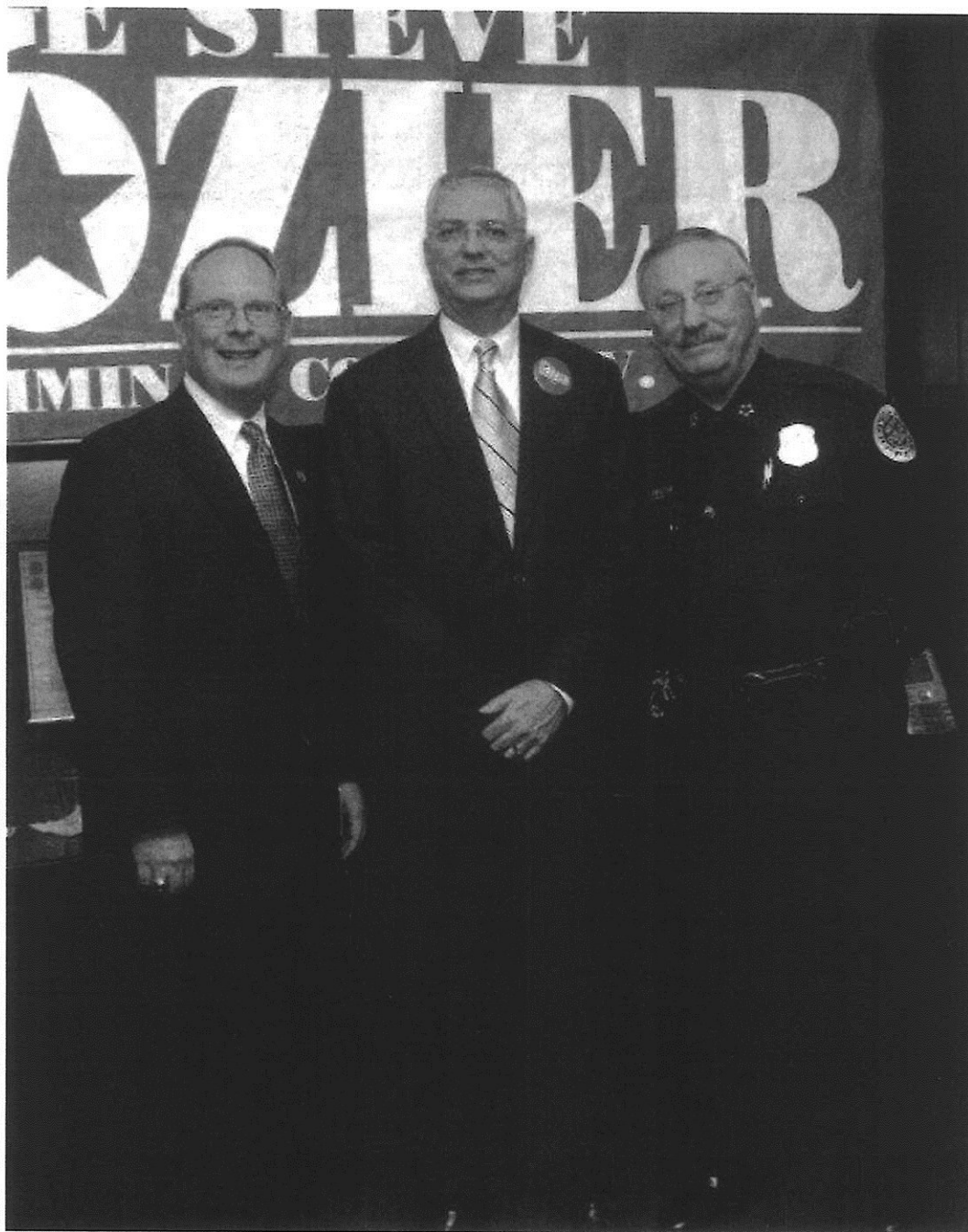
5:30  
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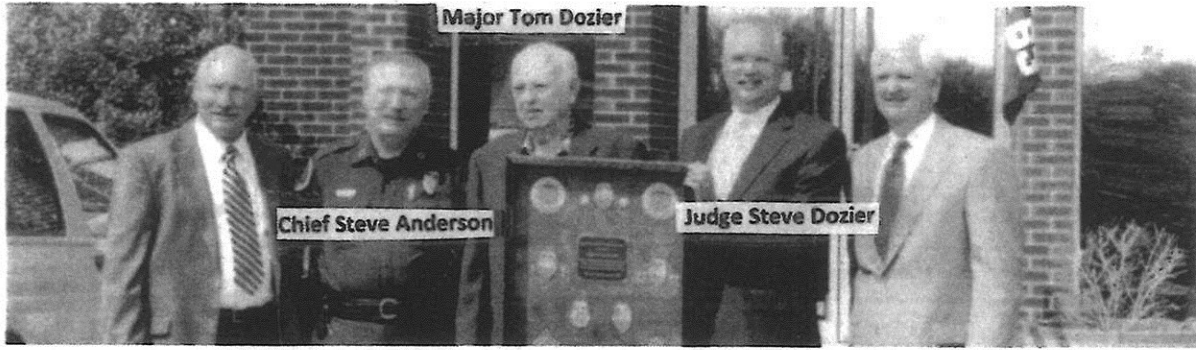
*"As for the trial judge's uncle and father, the trial judge noted in his order of recusal that he had no knowledge of his uncle's membership at Covenant. The Defendant does not explain why the employment of the judge's father or uncle as police officers, if that is indeed the case, rendered the judge impartial, other than that it is the Defendant's belief that the police and the district attorney and other government entities are part of a vast conspiracy to silence him."* Memphis Judge Alan E. Glenn – June 29, 2021 – Appellate Opinion. Judge Glenn turned a blind eye to Judge Dozier and his family connections to Nashville Police.



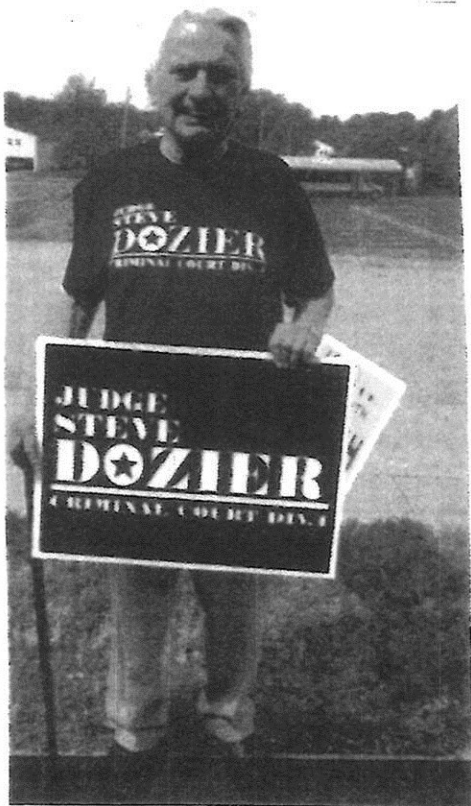
Police Spokesperson Don Aaron    Judge Steve Dozier    Police Chief Steve Anderson

Ex 3

As for the trial judge's uncle and father, the trial judge noted in his order of recusal that he had no knowledge of his uncle's membership at Covenant. The Defendant does not explain why the employment of the judge's father or uncle as police officers, if that is indeed the case, rendered the judge impartial, other than that it is the Defendant's belief that the police and the district attorney and other government entities are part of a vast conspiracy to silence him." Memphis Judge Alan E. Glenn – June 29, 2021 – Appellate Opinion. Judge Glenn turned a blind eye to Judge Dozier and his family connections to Nashville Police.



Don Dozier



## Donald Dozier

September 15, 2013

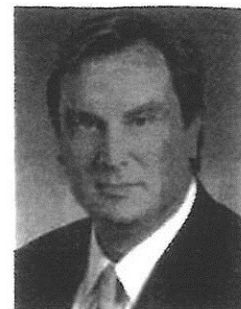
This was reportedly seen in Washington at the march for **Martin Lucifer**. The major news networks seem to have missed this from the anniversary parade of the Martin Luther King Jr. speech in Washington.

## Firearms Training Complex Named in Honor of Late Major Tom Dozier

On Tuesday, June 19<sup>th</sup>, The Metro Council honored the late Major Tom Dozier by officially naming the police department's firearms complex on the grounds of the Training Academy in his honor. Major Dozier, a former Director of Training, Academy Instructor and SWAT Commander, served our city for 50 years. He was appointed a patrolman for the Nashville Police Department on November 16, 1953. He retired on January 1, 2004. Major Dozier died on August 2, 2011, at the age of 81.

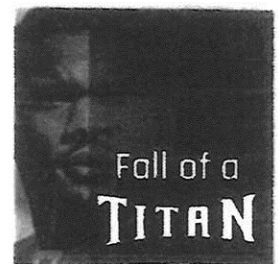


Pictured above, in 2003, Major Tom Dozier received congratulations and best wishes at his retirement celebration from Mayor Bill Purcell. Pictured (l-r) are Assistant Chief Joseph Bishop, Former Chief Joe Casey, Major Dozier, Mayor Purcell and Chief Steve Anderson.



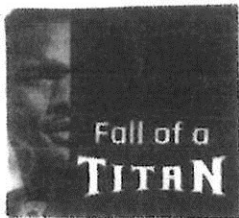
WORRICK ROBINSON  
FRATERNAL ORDER OF  
POLICE GENERAL COUNSEL

DOZIER, SR., Major Tom Age 81, died August 2, 2011. Survived by wife, Pauline; daughter, Jan (Dr. Randy) Ray, Tallahassee, FL; sons, Tom (Rita) Dozier, Jr. and Judge Steve (Lisa) Dozier; grandchildren, Nathan (Caroline) Ray, Matthew (Carly) Ray and Paul (Lindsey) Ray, Anna Lea (Wes Cothran) Dozier, Catherine Dozier, Olivia, Madeline and Phoebe Dozier; great grandson, Bradford Ray; brother, Don (Chris) Dozier and sister, Margaret D Beazley. After serving in the Army, Major Dozier started his career with the Metropolitan Police Department in 1953, and retired January 1, 2004 after 50 years of service. Duties on the police department included: Patrol, Motorcycle, Three wheel motorcycle, Police baseball coach, boxing team coach, Boys Camp, Bomb Squad, S.W.A.T., Fleet Management and Criminal Investigation. Most of his law enforcement career was spent at the Training Academy, where he served as Director for more than 10 years. Serving as Pallbearers will be his team at the Training Academy: Bob Allen, Ken Barnes, Randy Brock, Tim Durham, Mickey Garner, Richard Hillenbrand, John Hoffman, Mike Lee, Reed Majors, John Manning, Ken Pence, David Ruff and Phillip Sutton. Honorary Pallbearers: Nashville Chiefs of Police, Joe Casey, Bob Kirchner, Emmett Turner, Steve Anderson and members of the Metropolitan Police Department. Visitation will be held at Brentwood Baptist Church on 7777 Concord Road on Thursday, August 4th from 3:30 - 7 p.m., and Friday, August 5th from 1 - 2 p.m., with the service at 2 p.m. Burial service will be held at Woodlawn Memorial Park on Thompson Lane, Nashville, TN. In lieu of flowers, the family suggests donations to the Williamson County Literacy Council, 129 West Fowlkes Street, Suite 143, Franklin, TN 37064; or the Fraternal Order of Police Youth Camp, 440 Welshwood Drive, Nashville, TN 37211.



Sgt. Richard Hillenbrand  
Steve McNair Grand Jury  
Foreman

6x3



# SHOULD RICHARD HILLENBRAND BE ALLOWED TO SERVE ON ANY GRAND JURY?



Police Chief Steve Anderson

## Police sex claims renewed in cocaine firing

**JERRY McCASKILL**  
*Staff Writer*

A female police officer fired yesterday for cocaine use has told department investigators that three high-ranking officers made sexual advances toward her while she was a recruit at the Metro Police Training Academy.

The officers, who are the target of a four-month internal affairs investigation, have been identified by ex-South Patrol Officer [redacted].

Capt. [redacted] a 19-year veteran who supervises academics and physical training at the academy. He has been at the academy since 1978 and is a member of the department's SWAT unit.

LL [redacted] a 17-year veteran who supervises firearms training. He joined the academy in 1971 and is also a member of the SWAT unit.



Testified against superiors

Sgt. Richard A. Hillenbrand, a 14-year veteran who oversees defensive tactics training. He joined the academy in 1983 and is a SWAT unit member.

None of the three men could be



reached for comment last night. The internal affairs probe began several months ago after Stejanowski, 23, was questioned about her use of drugs following graduation from the academy in 1986.



A written statement she gave investigators at that time is expected to lead to department charges against the three instructors within several days.

[redacted] one of three officers



HILLENBRAND

fired for drug use yesterday, renewed charges that she had sex with the three instructors during a brief hearing yesterday morning before a police disciplinary board which later found her guilty of using cocaine on at least two off-duty occasions.

Others fired yesterday for drug use were Officers [redacted] and [redacted]. Detective [redacted] was suspended for 30 days without pay for observing drug use but not reporting it to authorities.

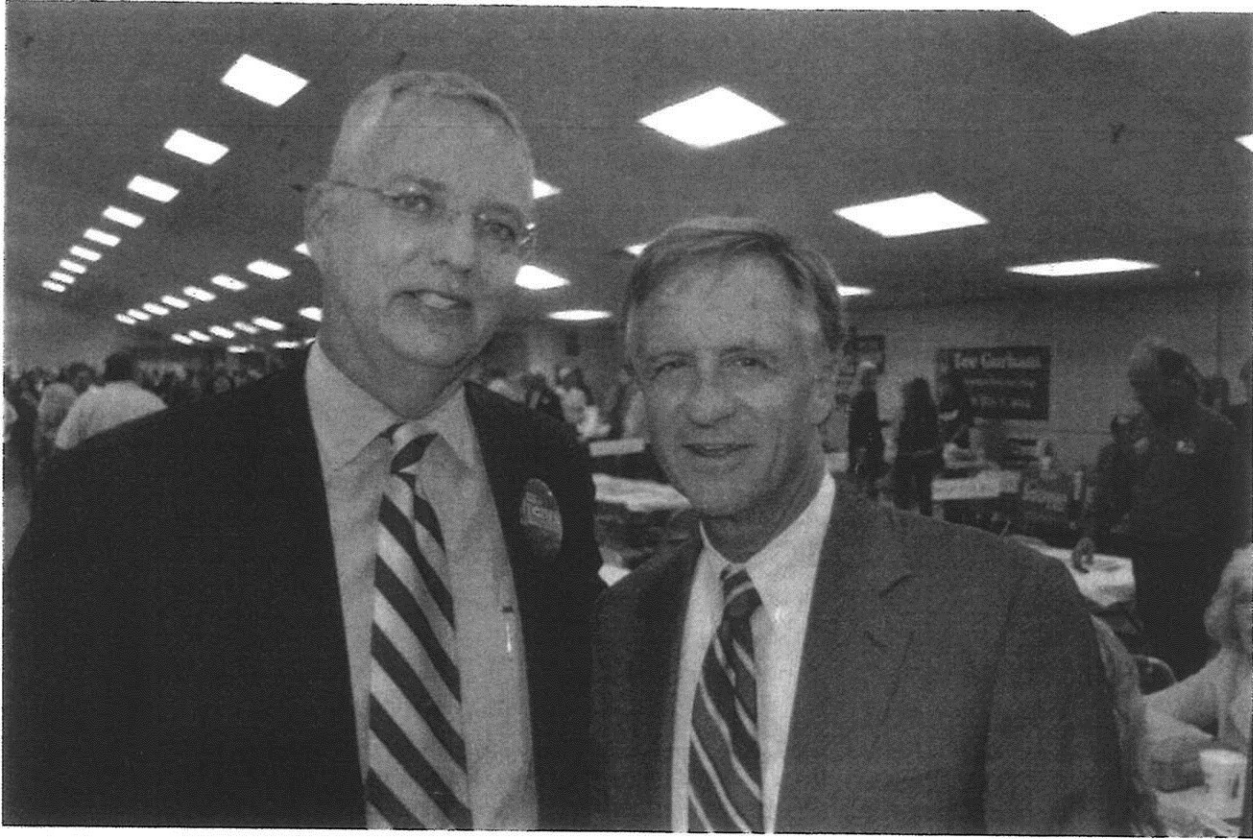
The allegations against all three men involve charges of marijuana use during hunting trips between 1979-84.

Following the decisions, Chief Joe

Turn to PAGE 6A, Column 1

ON 14A: Police scandals now a job for the district attorney.

*"The interest and appearance of justice, however, demand that every reasonable effort be made to insure that grand jurors are reasonably free from prejudice. For example, active or career police officers tend to have inherent prejudice that should preclude their service." Rippy vs. State (Tenn. 1977)*



**Judge Steve Dozier**

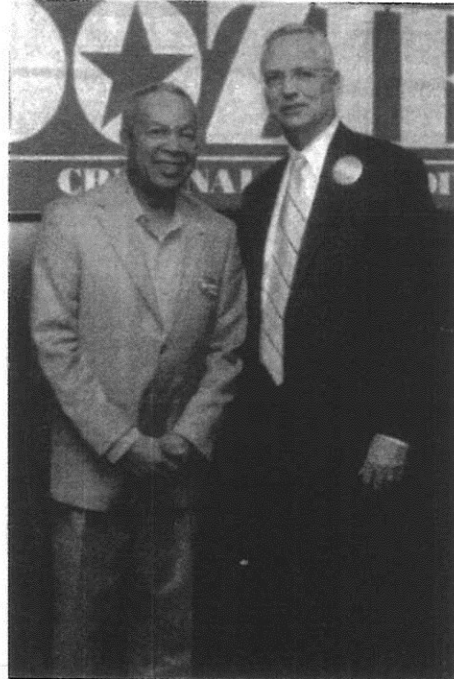
April 4, 2014

Judge Steve Dozier with Governor Bill Haslam at the Sure Shot Rabbit Hunters' Supper.



Judge Steve Dozier Don Dozier

**Vanderbilt Rape Trial**



Judge Monte Watkins Judge Steve Dozier

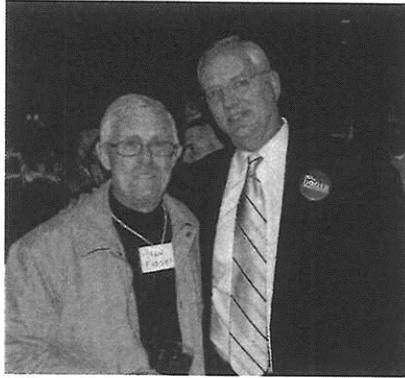


**Vanderbilt Rape Trial**

Worrick Robinson Corey Batey



## Stan Fossick - Judge Steve Dozier



## Meet Nashville's longtime jury foreman, a friend of law enforcement - Stacey Barchenger Dave Boucher - The Tennessean

There's a familiar face in the room when Nashvillians gather in secret to decide whether a person should face criminal charges: an 81-year-old wire company exec. He's Stan Fossick, a Nashville businessman with ties to the city's police force and a history of donating to district attorney candidates and a judge. A Tennessean analysis of public records shows Fossick led the majority of Davidson County grand juries during the past decade. While some say that builds helpful institutional knowledge, a grand jury expert raised concerns Fossick may sway jurors on a panel that should be an impartial body. "The information about the process is supposed to come from the judge and prosecutor," said Susan Brenner, a Dayton, Ohio, law professor who specializes in grand juries. "He can skew it." It's a problem that's surfaced in Tennessee before. In Chattanooga, judges in 2010 ousted a 20-year-grand jury forewoman. Among their concerns: She lacked objectivity.

### Who is Stan Fossick?

Fossick is an executive with Mid-South Wire in Nashville. A 2013 Tennessean article noted Fossick has known Judge Seth Norman since high school, interacted with Judge Steve Dozier's father at community events, met Judge Cheryl Blackburn when she worked with the prosecutor's office in the 1990s and occasionally grabs dinner with outgoing Judge Randall Wyatt. Since those relationships began, Fossick has been chosen by the judges to serve as foreman of at least 42 grand juries, the most of anyone named in the 92 quarterly reports since 1993, according to a Tennessean analysis. Some reports are not publicly available. Those numbers show that in the last decade, he served as foreman a majority of the time. "I hope that maybe the judges feel a confidence in me that I've done a good job and I'm very impartial and I try to run one the right way and very fairly," Fossick said Tuesday. He downplayed the idea that a foreman making political contributions to judges and prosecutors could show a bias.

When Dozier ran for re-election in 2014, campaign records show, Fossick donated \$500. Dozier has appointed Fossick grand jury foreman a dozen times since 1993. After former District Attorney General Torry Johnson announced his retirement in 2014, Fossick contributed to each candidate vying to replace him: \$250 to Glenn Funk, \$500 to Rob McGuire and \$400 to Diane Lance, according to records. "I think anyone has the right to make a contribution to anyone they want," Fossick said. "I've done it in several elections where I think it would help a person that I think is real qualified and would be beneficial to the people of this community, of the state or wherever."

Carol Etherington, Fossick's wife, worked for the police department until 1992, spending about 20 years as a specialist helping crime victims, according to a Vanderbilt University report. The report states Etherington, a nurse, established the Victim Intervention Program, one of the first police-based crisis

counseling initiatives in the country. Fossick said he met his wife through her work with the department but said her time with the police had no impact on how he served as foreman. Police administrators say Fossick has no role in the department.

### **'Angels who walk among us'**

Funk, whose office plays a key role in cases that go before the grand jury, tells each panel its role is to serve as a check on his own authority. Funk said in an interview Tuesday he had no concerns about Fossick. "The strength of the grand jury system is that it's supposed to comprise a cross section of the community," he said. "Any organization charged to fill an important civic function should have some level of expertise in its leadership." Tennessee rules say the grand jury foreman can vote whether to charge someone in an indictment. In the last decade, jurors declined to issue indictments in less than 2 percent of the cases they considered. It's unknown how often the foreman votes because grand jury proceedings are secret. Twelve jurors must agree to charge a person. If the jurors are split 11-1, the foreman can cast the final vote needed to indict, according to Nashville's top prosecutor.

### **Not a rubber stamp**

A review of grand jury reports — there are typically four each year — shows varying tones in wording, generally thanking police and prosecutors. But reports when Fossick is the foreman praise police and the courts. "There are angels who walk among us: They wear uniforms, sit behind desks, walk the streets, drive fast cars, carry guns and rescue children and wounded people every day. They work undercover, behind the scenes and look into the darkest corner of life, and aren't thanked enough," reads a report from the fourth quarter of 2003. Fossick said he had "no idea" why such language would appear more frequently in reports when he is foreman. The entire jury helps write the reports but may not agree with everything in the report, he said. Earlier this year, Fossick was the foreman when grand jurors raised concerns that police presentations were leading to bias in deliberations. And in early 2016, under the supervision of a different foreman, jurors suggested they should not meet inside the district attorney's office. The same jurors asserted they were not a "rubber stamp" for the prosecutor's office, admonishing prosecutors for threatening to present cases to another grand jury if they did not file charges, according to the jury's report. Brenner, the University of Dayton law professor, said Fossick's tenure combined with law enforcement ties could mean he's influencing the jurors. Fossick's background "exacerbates the likelihood that this guy is having a disproportional impact on the jurors who serve on grand juries with him," she said in an email. "By tacitly letting this go on, your court is undermining one of the principles of using citizen grand jurors, which is, as I've said, to import 'the voice of the community' into their deliberations. I can guarantee you that his is the voice that dominates in their deliberations."

### **Ouster in Chattanooga**

Long-tenured grand jury foremen have drawn scrutiny elsewhere in Tennessee. Marsha Crabtree served as forewoman of the Hamilton County grand jury in Chattanooga for 20 years — until 2010. Late that year, judges chose not to retain Crabtree for another two-year term. State law says any juror may be removed when "a state of mind exists on the juror's part that will prevent the juror from acting impartially." She said in a letter that the judges were upset that several recent grand jury reports were critical of the criminal justice system. "Their handling of this appears to have been done entirely out of spite, in order to teach me a lesson and put me in my place, following several GJ reports that were very critical of the criminal court system," her letter reads. The judges responded. "It is unfortunate but understandable that she 'often reached burnout' as she admitted in her statement," their response reads. "Perhaps it was this burnout that led to her increasing negativity, criticism and lack of objectivity."

Reach Stacey Barchenger at [sbarchenger@tennessean.com](mailto:sbarchenger@tennessean.com) or 615-726-8968 and on Twitter @sbarchenger. Reach Dave Boucher at [dboucher@tennessean.com](mailto:dboucher@tennessean.com) or 615-259-8892 and on Twitter @Dave\_Boucher1.



DA Glenn Funk

Judge Steve Dozier

Mayor Megan Barry

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

FILED  
09/06/2019  
Clerk of the  
Appellate Courts

[REDACTED] v. AUSTIN DAVIS

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

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No. M2018-[REDACTED]-COA-R3-CV

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ANDY D. BENNETT, J., dissenting.

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

The Tennessee Supreme Court has said that:

“The right to a fair trial before an impartial tribunal is a fundamental constitutional right.” *State v. Austin*, 87 S.W.3d 447, 470 (Tenn. 2002). Article VI, section 11 of the Tennessee Constitution provides, “No Judge of the Supreme or Inferior Courts shall preside on the trial of any cause in the event of which he may be interested...” This provision is intended “to guard against the prejudgment of the rights of litigants and to avoid situations in which the litigants might have cause to conclude that the court had reached a prejudged conclusion because of interest, partiality, or favor.” *Austin*, 87 S.W.3d at 470. We have recognized that it is important to preserve the public’s confidence in a neutral and impartial judiciary. *Bd. of Prof’l Responsibility v. Slavin*, 145 S.W.3d 538, 548 (Tenn. 2004).

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

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

January 25, 2018.<sup>1</sup> 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.<sup>2</sup> The recusal allows us to infer a bias or conflict.<sup>3</sup>

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

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<sup>1</sup> 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.

<sup>2</sup> 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.").

<sup>3</sup> "[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.<sup>4</sup>

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 [REDACTED] 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 [REDACTED] a default judgment on

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<sup>4</sup> 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.

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ANDY D. BENNETT, JUDGE

# Supreme Court of Tennessee

## *Application for Tennessee Attorney General and Reporter*

### CONTACT INFORMATION

Name: Herbert H. Slatery III  
Home Address:  
Office Address: First Floor, State Capitol, 600 Charlotte Avenue, Nashville, TN 37243  
Home Phone: Office Phone: 615-253-7732  
Cell Phone:

### PERSONAL INFORMATION

1. Please provide the following:

Age:	62	Date of birth:	March 8, 1952	City and state (or country) of birth:	Knoxville, TN
Social Security No.			TN Driver's License No.		
Tennessee Board of Professional Responsibility No.		009077	Year licensed to practice:	1980	

2. How long have you lived continuously in the State of Tennessee?

Since 1975

3. Are you registered to vote in Tennessee? If so, please give the county.

Knox County, TN

4. In what states have you lived since age 21? Indicate length of stay and approximate dates.

State	Length	From	To
Virginia	App. 2 years	August 1973	July 1975
Tennessee	39 yrs.	July 1975	present



5. Family Status:

a) If you are presently married, give the full name and present address of your spouse, the date and place of your marriage, and your spouse's occupation and place of employment.

Spouse's Name	Address	Date of Marriage	Place of Marriage
Cary P. Slatery		May 22, 1976	Memphis TN
Occupation		Place of Employment	
Homemaker and Community Volunteer			

b) If you have been married previously, state the name of your former spouse, the date and place of the marriage, and the date the marriage terminated. If the marriage was terminated by divorce, give the date and place of the divorce, the name and location of the court, and the present or last known address of your former spouse.

Former Spouse's Name		Date of Marriage	Place of Marriage	Date Marriage Terminated
Divorced Spouse	Divorce Date	Place of Divorce	Court Name & Location	Spouse Address

c) If you have children, state the name, age, address, present occupation, and name and address of the employer of each, if applicable.

Name	Age	Address
Harrison Slatery	30	
Occupation	Employer Name	Employer Address
Project Management - Residential Construction	Schmid & Rhodes Construction Co.	6714 Albunda Drive, Knoxville, TN 37919

Name	Age	Address
Frances S. Cowan	33	
Occupation	Employer Name	Employer Address
Executive Asst.	Knox Area Rescue Ministries	418 N. Broadway, Knoxville, TN 37917

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Name	Age	Address
Occupation	Employer Name	Employer Address

Name	Age	Address
Occupation	Employer Name	Employer Address

6. If you have served in the military, please state the branch of service, your service number, the dates of active duty, and your rank/rate at separation. If your discharge was other than honorable, please explain. Please list any decorations, honors or achievements in connection with your military service.

Branch	Service Number	Dates	Rank/Rate
Not applicable			
Additional Information:			

7. If you are not physically and mentally able to perform the essential duties of Attorney General and Reporter without accommodations, please identify any accommodations you may need to perform the job.

Not applicable

8. If you have ever pleaded guilty to or been convicted of a violation of any law (other than a minor traffic offense), regulation, or ordinance; give the date, court, charge, and disposition. This question includes any convictions that have been expunged and any convictions for which you are on diversion.

Date	Court	Charge	Disposition
Not applicable			

9. If, to your knowledge, you have ever been under federal, state, or local investigation for possible violation of a criminal statute, give details.

Not applicable

10. If a tax lien or other collection procedure has ever been instituted against you by any federal.

state, or local authority, or any private party, give details.

Not applicable

11. If you have not complied with all federal and state tax laws, including social security tax laws, please explain.

Not applicable

12. If you have ever been a party in any legal proceedings, give details, including the date, court, docket number, nature of proceedings, and resolution.

Not applicable

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## EDUCATION

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13. List each college, law school, and other graduate school you have attended, including dates of attendance, degree awarded, and major. If you left before obtaining a degree, please give your reason for leaving.

School	Dates	Degree	Major
University of Virginia	1970-1974	B.A.	Government Affairs
University of Tennessee	1978-1980	J.D.	
Explanation (if needed)			

14. For your law school education only, please give your academic standing (class rank), whether you served on the staff of a legal publication such as the law review, including your position and responsibilities, and whether you were a member of a moot court or mock trial team. List any honors, awards, or other forms of recognition you received in law school.

Rank was top 15%; Member and Articles Editor for Tennessee Law Review

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## LEGAL BACKGROUND AND EXPERIENCE

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15. If you are licensed to practice law in any state other than Tennessee, please give the year and whether your license is currently active. Please also list all courts to which you have been admitted, including administrative bodies that require special admission to practice.

State and Bar No.	Year	License Status
Not applicable		
Court Admissions: Tennessee Supreme Court; United States District Court (E.D. Tenn.)		

16. If you have ever been denied admission to, suspended by, or placed on inactive status by the Bar of any state, please give dates, even if the action was temporary, and explain.

Not applicable

17. If you have been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group, give details.

Not applicable

18. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups, and participation in any committees you consider significant.

Group	Dates	Office	Dates
Tennessee Bar Association	Since admission to the bar		
Knoxville Bar Association	Since admission to the Bar		
American Bar Association	At least 15 years, but dropped membership in 2010		
Knoxville Bar Foundation	2008 - present		
Harry Phillips American Inn of Court	2011 - present		
Committees: Member, Tennessee Bar Association Business Corporation Law Revision Committee 1984-1986; Chair, Tennessee Bar Association Nonprofit Corporation Law Revision Committee 1986-1987			

19. List honors, prizes, awards, or other forms of recognition that you have received since your graduation from law school that are directly related to legal accomplishments.

My Martindale Hubbell rating for the past twenty years or so has been AV.

20. If you have served as a judicial law clerk for a judge or as a staff attorney to a court, give the name of the judge or court and dates of service, and describe your experience.

Not applicable

21. Indicate your present employment, and list any professional partners or other members if applicable.

Current Employment	Date Employed
Counsel to Governor Bill Haslam	January 2011
Partners or other members:	

22. Other than service as a judicial law clerk for a judge or as a staff attorney to a court, list and briefly describe your prior employment in the legal field since the completion of your legal education and give the dates of such employment. If you have had any periods of unemployment in excess of six months since completion of your legal education, please describe what you did during those periods.

From 1980 through 2010 I practiced with Egerton, McAfee, Armistead & Davis, P.C. in Knoxville, TN. I became Counsel to Governor Bill Haslam, my current position, in January, 2011.

23. Describe the nature of your present law practice; list the major areas of law in which you practice and the approximate percentage each constitutes of your total practice.

My current practice with the Haslam Administration is wide-ranging. The legal office has played a significant role in drafting the major pieces of legislation proposed by the Governor during his term such as tort reform, the Tennessee Excellence, Accountability and Management Act that changed government employment law in Tennessee, and the bill that changed the Tennessee Regulatory Authority. Other legislation in which we played a significant role included the recent legislation changing the workers' compensation law and the Tennessee Promise bill providing for last dollar scholarships so that any student may obtain two years of community college at no cost. I have been responsible for testifying before many of the legislative committees considering and evaluating the proposed legislation and interacting with almost all legislators on not only these bills, but also other legislative matters of importance to the Governor, especially matters affecting the judiciary. My office reviews, revises, and drafts amendments with respect to all of the legislation proposed by the 23 departments in the executive branch. We coordinate the timely signing of the bills and deal directly with the engrossing clerks of both Houses and the Secretary of State to effect the signing and recording of the bills passed by the General Assembly. The legal office oversees the process for selecting and appointing of all judges to fill vacancies in courts of record, handles ethics compliance and issues affecting the Executive Branch, coordinates Administration initiatives with the general counsels in all of the departments.

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responds to all public record requests of the Governor's office and advises the 23 departments on their disclosure obligations, drafts any executive orders issued by the Governor, oversees important litigation matters handled by the Attorney General's office on behalf of the Governor, the 23 Commissioners and the departments that they manage, and handles any other legal matters as directed by the Governor. I also negotiate and manage difficult transactional matters involving the executive branch, review procurement documents such as requests for proposals and their resulting contracts entered into by many departments, participate in preparing for the annual meetings with bond rating agencies, and will advise the Governor, and work with the Department of Correction and the Attorney General as the sentences in capital cases are carried out. Over the past three years I along with the Governor's senior staff have participated in the detailed meetings on the state budget. My responsibilities also include assisting, and interacting, with the judicial branch on a number of matters such as the appointment of special supreme courts, drafting and filing the most recent bill on judicial compensation, and dealing with the Administration of the Courts and the conferences for the district attorney generals and public defenders.

24. List other areas of law in which you have practiced and describe any other legal experience that you would like to bring to the attention of the Court.

Before joining the Haslam Administration I practiced for 30 years for a Knoxville firm that was founded in 1933. In the earlier years as an associate my practice was quite diverse, involving transactional matters, collection suits and general sessions matters, and commercial lawsuits in Chancery Court such as breach of contract claims arising from sales of businesses, enforcing and defending liens arising from construction work, and litigation related to banking matters like bankruptcy and disputes arising from trust and estate matters. As my practice developed it continued to be based largely on commercial and business matters. I became a shareholder three years after joining the firm. My practice eventually evolved into one overseeing the numerous and diverse legal needs of large, closely held corporations and two quasi-governmental entities. This involved overseeing major matters of litigation, often handled day-to-day by trial lawyers in our firm and outside counsel in other jurisdictions, being responsible for substantial transactional matters such as purchasing and selling businesses, putting major financings in place, raising capital in private placements, and representing borrowers and lenders in bond issues, securitizations, mezzanine financings, and lending syndications.

The two quasi-governmental entities I represented were The Industrial Development Board of the County of Knox ("IDB") and The Public Building Authority of the County of Knox and the City of Knoxville ("PBA"). As the IDB's general counsel I handled tax exempt bond issues, payment in lieu of tax transactions and tax increment financing projects. For a time the PBA was the project development entity for virtually all major construction projects for the City and the County, including the convention center and new schools.

25. If you have practiced in proceedings before administrative boards or commissions, state the agencies and the approximate number of proceedings in which you appeared before each agency. Of that total, indicate in how many you appeared as sole counsel, how many as chief

counsel, and how many as associate counsel.

My experience is limited to appearances before City Council and County Commission on land use matters and projects related to the IDB and PBA. In representing the Governor I have appeared before the Senate Judiciary, Commerce and Labor, Government Operations, State and Local Government and Finance, Ways and Means Committees. Similarly in the House I have appeared before the Business and Utilities, Civil Justice, Government Operations, Insurance and Banking, State Government, and Finance, Ways and Means Committees.

Agency	Total	Sole Counsel	Chief Counsel	Assoc. Counsel

26. If you have handled matters that have been arbitrated or mediated, state the approximate number. Of that total, indicate in how many you were involved as sole counsel, how many as chief counsel, and how many as associate counsel.

I have been involved in a small number of mediations as both chief and sole counsel.

Approx. Number	Sole Counsel	Chief Counsel	Assoc. Counsel

27. Please describe your trial court experience during the past ten years. Approximate the number of trial court matters in which you appeared. Of this total, state the number that was before a federal court, the number that was before a Tennessee court of record, and the number that was before a Tennessee court that was not of record (general sessions, municipal). State the approximate percentage of these matters that were criminal, and the approximate percentage that were civil. Indicate in how many matters you were sole counsel, how many you were chief counsel, and how many you were associate counsel. Please indicate the approximate percentage of your cases that were tried to resolution, how many were dismissed upon pre-trial motion, and how many were settled prior to trial.

During the past 10 years my actual trial court experience is quite limited, primarily to the oversight role described in Question 24.

28. Please describe your appellate court experience. Approximate the number of matters in which you appeared as counsel of record in Tennessee appellate courts, the number in federal courts, and the number in other states. Give the approximate percentage that were criminal and the approximate percentage that were civil.

My appellate court experience is similarly limited.

29. List any noteworthy cases you handled as an attorney before mediators, arbitrators, administrative agencies, trial courts, or appellate courts. As to each case, please : (1) give the date or period of the proceedings; (2) identify the court or agency; (3) summarize the

substance of the case; and (4) explain why the case is significant.

I defended a large private wholesale grocer in a dispute involving an allegation of shareholder oppression in the Chancery Court for Knox County in 2008. The case was significant because Tennessee, at the time, had very little law on the rights of a minority shareholder claiming oppression by a majority shareholder. The only remedy in Tennessee was dissolution, according to the statute. There was one unreported case decided by the Tennessee Court of Appeals. The issues before the Chancery Court were whether oppression occurred, a factual determination, and if so, would the Court enforce the sole statutory remedy of dissolution or configure another remedy that the legislature did not provide. The parties mediated the case, the mediation failed, and they eventually entered into a confidential settlement.

30. If you have served as a mediator, an arbitrator, or a judicial officer, please describe, including the dates, the courts or agencies involved, whether you were elected or appointed, and a description of your duties.

Not applicable

31. If you have served as a mediator, an arbitrator, or a judicial officer, please list any noteworthy cases you handled in these capacities. As to each case: (1) give the date or period of the proceedings; (2) identify the court or agency; (3) summarize the substance of the case; and (4) explain why the case is significant.

Not applicable

32. Describe the *pro bono* service you have given throughout your legal career, and describe activities in which you have been involved that demonstrate commitment to equal justice and equal access to justice.

From time to time I have represented borrowers on a pro bono basis in bank transactions. I regularly wrote wills on a pro bono and discounted basis. As an elder at my church I often assisted church members on legal matters without charge relating to issues like immigration, landlord tenant disputes, and domestic relations. The work I am now doing, I hope, is furthering a commitment to justice as I advise the various departments on matters related to health care, children, intellectual disabilities, and administration of federal programs.

33. List any legal articles or books you have published.

I wrote Tennessee's New Nonprofit Corporation Act in 1987 that described the new nonprofit corporation statute drafted by a TBA Committee that I chaired. It was published by M. Lee Smith Publishers and Printers but is now out of print. In law school my casenote and comment were published by the Tennessee Law Review.

34. List any law school courses, CLE seminars, or other law-related courses that you have taught within the last three years.



I am unsure whether this goes to Question 34 or 35, but I have participated in two programs at the Harry Phillips Inn of Court. Separately, I spoke on tort reform before that organization and a number of other groups. Years ago I participated in seminars on the new Business Corporation Act and the Tennessee Nonprofit Corporation Act.

35. List any presentations you have made to civic groups on legal topics within the past three years.

I have led seminars, discussions and general talks to numerous organizations on the Proposed Amendment 2 to the Tennessee Constitution providing for a modified federal system of appointing judges. Those organizations included the Tennessee Business Roundtable, the Judicial Conference, Executive Boards for the Tennessee Sheriffs and Court Clerks, several local bar association boards, and leaders of many other civic organizations like the League of Women voters. I recently taught a CLE Seminar to state attorneys on judicial selection.

36. State any other information about your legal experience that may reflect positively or adversely on you or that you believe should be disclosed in connection with your application for Attorney General and Reporter.

### NON-LEGAL/CIVIC INFORMATION

37. Describe any occupation, business, or profession other than the practice of law in which you have ever been engaged. Please give details, including approximate dates.

Not applicable

38. If your current income is derived from sources other than the practice of law, specify the other income sources and the approximate percentage of your total income each source represents.

I will provide my most recent Ethics Disclosure filed as Counsel to the Governor, which provides that and other information. The additional income is approximately 15% of total income.

39. If you are now an officer, director, or major stockholder (5% or more) of any for-profit organization or you are otherwise engaged in the management of any for-profit enterprise, please give details, including the name and nature of the organization, your position, the nature of your duties, and your term of service. If you are selected as Attorney General and Reporter, and you would consider continuation of your involvement, please address whether such continuation would be a conflict of interest.

I am an outside director (but not a shareholder) of The H.T. Hackney Co., a Tennessee corporation and wholesale grocery company. I am also the Secretary of WBL Corporation, an insurance holding company in which my brother is involved. My duties are primarily ministerial in that role. If necessary, I will resign from these positions upon appointment.

40. List all non-profit organizations other than legal professional associations to which you have belonged within the last ten years, including civic, charitable, religious, educational, social, and fraternal organizations. If you have held an office in any of these non-profit organizations, please give titles and approximate dates. If you have received any honors, prizes, awards, or other forms of recognition in connection with your participation in such non-profit organizations, please list.

Cedar Springs Presbyterian Church in Knoxville, Tennessee – Elder for over 30 years  
State Board of Equalization  
The Public Building Authority of the County of Knox and the City of Knoxville – Director  
Cherokee Country Club in Knoxville, Tennessee - Member  
The Golf Club of Tennessee in Kingston Springs, Tennessee – Member  
Bill Haslam for Governor – political campaign, currently a Vice President (previously the Treasurer for 4 years)

41. If you are selected for this position, how much of your current level of civic and community involvement do you feel that you could continue?

The activities associated with these organizations would not impede my ability to perform all of my responsibilities as the Attorney General, should I be appointed.

42. If you have ever belonged to an organization, association, club, or society which limits its membership to those of any particular race, religion, national origin, or gender, please list the organization and describe the basis of the membership limitation. Do not include organizations formed for a religious purpose, such as a church or synagogue. Please address whether you would withdraw from any such organization if you are selected as Attorney General and Reporter.

Not applicable

43. If you have served in a fiduciary capacity other than as a lawyer representing clients, please describe.

I am the Governor's designee and Co-Trustee for the Tennessee Promise Scholarship Endowment Trust. I serve as Trustee of two testamentary trusts and one unfunded, *inter vivos* trust, the beneficiaries of which are immediate family members. I also serve as the trustee of two life insurance trusts (with minimal assets other than the policies) for two close friends.

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## MANAGEMENT AND GOVERNMENT EXPERIENCE

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44. Describe your management philosophy and your views on delegation to subordinates.

My management philosophy starts with an understanding that you lead people and manage tasks. The key to any great organization is leadership. Jim Collins in his legendary book Good to Great quotes President Harry Truman saying "You can accomplish anything in life, provided that you do not mind who gets the credit." Collins goes on to describe what he calls a Level 5 leader, someone who has great personal humility and an unusual professional drive for results. A Level 5 leader looks out the window instead of in the mirror to apportion credit for results, says Collins. I think people want to follow great leaders. They have difficulty in finding them, especially in the political world. From the start a good manager will get to know his people, genuinely seek them out, communicate consistently with them, set goals and walk with them on the journey. I have had the privilege of observing a large number of businesses over the years, some successes and some failures. I have seen some colossal mistakes by management and some moving examples of how to manage. For instance, I watched a CEO of a large company acquire another sizeable business from a Fortune 500 company and the first thing that CEO did was to go down on the closing date to the warehouse floor during the night shift and introduce himself to the hourly workers on that shift. The response? "Nobody from headquarters has ever been down here as long as I have worked here." I have no idea how fast that story traveled. I do have an idea why that warehouse had very few labor problems. Frankly, Governor Haslam does the same thing when he personally visits departments, which he does regularly. The whole key to good management is people. As Collins says, it is about getting the right people on the bus and in the right positions. After that the leader cares for them, points a direction, defines what constitutes success and works with them to get there.

Delegation is essential in a large organization. Done correctly it evidences trust, stretches those doing the work, rewards good performance, enhances working with a team and builds leaders for the future, all of which are characteristics of a thriving, stable organization.

45. Describe any management experience you have had in the legal profession, such as managing attorneys, paralegals, and legal support staff. Approximate the number of persons over whom you had management responsibilities, and indicate whether your experience included preparing and managing a budget.

At my firm I had the opportunity to be a member of the management team for a few years as a relatively young partner. Frankly, I had a lot of ideas, no experience, and very little humility. Several years later the firm elected me as President. I managed the firm for about eight years. The responsibilities included preparing and monitoring the firm budget, negotiating office leases, overseeing personnel matters, handling compensation issues and chairing the compensation committee, making a major move from an office building the firm occupied in 1933 to new space, and hiring new attorneys and staff. The firm had approximately 20 lawyers and 15 staff when I left in 2010, and still is one of the largest

firms in Knoxville.

In my current position I participate in the state budget discussions, meetings and decisions, starting each fall and continuing through the enactment of the appropriations bill each Session.

46. Describe any management experience you have had in federal, state or local government. Approximate the number of persons over whom you had management responsibilities, and indicate whether your experience included preparing and managing a budget.

As the Governor's counsel, I manage the legal office consisting of two attorneys and an executive assistant. This involves the preparation, approval and implementation of performance plans and interim and annual performance evaluations. While they do not directly report to me, I interact frequently with the general counsels of the departments and serve as a liaison to the Governor's office on matters of law and policy. The Governor's legal office also approves the employment of attorneys in each of the departments.

47. Describe any other management experience you have had. Approximate the number of persons over whom you had management responsibilities, and indicate whether your experience included preparing and managing a budget.

Not applicable

48. List any judicial or non-judicial government offices you have held, and describe your experience. Include the date, the position, whether the position was elected or appointed, and whether your responsibilities included legal matters or policy matters. If you have been a candidate for government office but were not selected, please list this as well, including date, position, and whether the position was elected or appointed.

Not applicable

49. Other than as an elected or appointed official, please describe any experience you have had with the legislative or executive branches of government, federal, state, or local. Indicate whether your experience related to legal matters or policy matters.

See Question 23

50. Describe any other government experience you have had. Please indicate whether any such experience involved legal matters or policy matters.

See Question 23

51. State any other information about your management or government experience that may reflect positively or adversely on you or which you believe should be disclosed in connection with your application for Attorney General and Reporter.

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## PERSONAL PERSPECTIVE

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52. What are your reasons for seeking this position?

First, I have a genuine interest in seeing the Office of the Attorney General continue operating at a high level, as it has for many years. The quality of the attorneys assuming that position over the years is a testament not only to the Court's ability to evaluate and select those attorneys but also to the selection process itself. Over the past three and a half years working in the executive branch, I have acquired a deep appreciation for the independence afforded to the position by the Tennessee Constitution. In rendering opinions, making strategic decisions in litigation, and providing legal counsel I have observed how the Attorney General has the opportunity to independently make decisions without having to take into account, in an overbearing fashion, the political consequences of those decisions to his office. The Attorney General may focus his time, energy and attention on his constitutional responsibilities without campaigning for office and without being affected by how those decisions would affect his own future. He acts in the best interests of the State of Tennessee and not for his personal ambition.

Second, at my career stage, the magnitude of the challenges of being an Attorney General is appealing. The idea of assuming that position with the validation of the Court would be an honor, to say the least. That kind of opportunity is rare and it quickly passes.

Third, I think that I would be particularly suited to carry on the high level of services rendered by that office. My temperament, my experience in managing a law firm, my knowledge of how the executive branch operates, my familiarity with the budgeting process and financial background, the credibility that I have worked to build with the leaders and members of the General Assembly, and my working relationships with those commissioners leading the departments and agencies all create a set of circumstances that would provide a foundation, from which to successfully carry out my responsibilities. I would not be starting "from scratch" in most instances. I am familiar with many of the more complex cases overseen by the Attorney General, the history of dealing with the opponents, and the plans to resolve the disputes. I have had the privilege of working with many of the lawyers in the Attorney General's office, all of whom are impressive lawyers. All of this will facilitate the transition to new responsibilities.

53. Describe your perception of the primary duties, responsibilities, characteristics, and qualifications for the position of Attorney General and Reporter. Describe which of these may be delegated in whole or in part to subordinates and which may not.

First, I think there is a significant management responsibility that must be carried out diligently. The Attorney General is responsible for 175 attorneys and a significant number

of additional staff, which places a premium on personnel decisions, understanding the effect of decisions on employee morale, and creating an atmosphere fostering high performance. He or she must capably manage a budget of approximately \$25,000,000, adjust to the current financial circumstances of the State, and competently testify before legislative committees on budgetary matters.

Second, the Attorney General has a role in determining policy. He or she will often be called upon to determine what action or lack of action would be in the best interests of the State. These decisions will range from determining whether to file, or refrain from filing, actions on behalf of the State, determining whether to investigate matters, choosing strategic alternatives in pending cases, selecting outside counsel to represent the State, choosing which attorneys to be involved in cases, settling cases, and issuing decisions that have the force of law absent legislative or court action. These decisions should not be made in a vacuum. They will require consultation with a number of parties, communication skills that anticipate and prevent misunderstandings and accurately describe decisions, and a humble approach to matters having such gravitas.

Third, the Attorney General has to perform. Lawyers generally offer two things: expertise and availability. Responsiveness to the legislature, the executive branch and the judiciary is a *sine qua non* for this role. Promptness in rendering opinions is a critical obligation and illustration of this responsibility. The Attorney General must zealously represent the interests of the State in all litigation. Great effort must be the rule, as it has been. Informed, researched effort must be exhibited at each opportunity.

54. What is your view of the role of Attorney General and Reporter with respect to the executive branch, the legislative branch, and the judicial branch of state government?

\* The Supreme Court entrusts great responsibilities to the Attorney General. How he or she carries out those responsibilities will reflect on the Court. While the Court may not be the specific client in any instance, how well the Attorney General performs should validate the appointment. In particular, the attorneys appearing before the courts of our State should exhibit the highest degree of respect and decorum, a studied understanding of the law and a principled, diligent, zealous representation of the clients. It should go without saying that the Attorney General should be readily available to advise the Court on any matter for which he or she is responsible.

The Attorney General's role with the legislature again is to maximize availability, especially while the General Assembly is in session. As opinion requests increase during session the Attorney General must plan for those requests, have specific procedures to promptly respond to those requests and measure and report the timing of the requests and the subsequent issuance of the opinions. The legislature will also seek counsel on the State's ability to investigate matters, initiate lawsuits, and respond to matters posed by constituents, and at times engage in the consideration of pending bills.

The Attorney General's role with the executive branch is multi-faceted. He or she will

engage with the Governor's office on legislative initiatives, compromises of lawsuits, engagement of outside counsel, matters such as judicial selection procedures, enforcement of capital sentences, and strategic decisions and reports on pending lawsuits. At times, the Governor will have specific requests warranting face-to-face discussions. There are 23 departments in the executive branch and many more boards and commissions. Providing counsel to these departments, agencies and commissions requires availability, prompt responses and expertise to be rendered by the appropriate attorneys in the Office.

55. If selected as Attorney General and Reporter, what is your estimate of the amount of time you will actually appear in court or oral arguments in appellate matters?

My responsibility in this regard would be to get the very best attorneys before the Court, which will require a determination of oral advocacy abilities, experience, familiarity with the case, credibility before the appellate judges, and scheduling considerations. In most cases that will likely be attorneys other than myself, especially before trial courts. There will be some cases of note that would require more involvement on my part, in which circumstances I will fulfill that role.

56. If selected as Attorney General and Reporter, what will be your policy regarding personally practicing before the Tennessee Supreme Court?

It will be similar to what I answered in the previous question. By the time a case reaches the Supreme Court, especially if it is one involving broad policy matters, my involvement will require more serious consideration. That said, the very best person in the Attorney General's office for that case and argument will be the one before the Court.

57. Describe life experiences, personal involvements, or talents that you have that you feel will be of assistance to the Tennessee Supreme Court in evaluating and understanding your candidacy for this position.

I have been married for over 38 years to a wonderful (and very patient) woman, originally from Memphis; we have two children who are both married, have three post secondary degrees between them, and have stable jobs. I have been an active elder in my church for over 30 years. I practiced with the same firm for over 30 years, and now have the unique honor of serving as Counsel to the Governor. With that kind of history you witness a lot of life, make a lot of decisions, and deal with the consequences of those decisions, both favorable and adverse. I have lived in all three grand divisions of the State and believe that I understand to a credible extent the differences in these communities. The long term nature of these experiences and relationships will be of great benefit if appointed to this position, and I hope they evidence some stability and maturity that will, in turn, benefit the office and the State.

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## AGREEMENT

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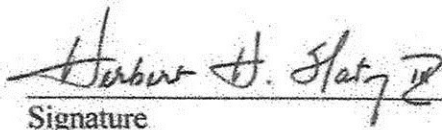
58. Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for appointment for the office of Tennessee Attorney General and Reporter, and, if appointed, I agree to serve in that office. If, between the time this application is filed and the time the Court makes its final selection, there are any changes that occur in the accuracy of the information provided here, I agree to file a written notification advising the Court of the specific changes and the reasons therefore.

I understand that the information provided in this application shall be open to inspection upon filing with the Administrative Office of the Courts and that the Administrative Office of the Courts may publicize the names of persons who apply for the position of Attorney General and Reporter.

I knowingly, willingly, and without reservation waive any right or privilege of confidentiality relative to any background checks that may be performed, including, but not limited to, the Tennessee Bureau of Investigation criminal and civil background investigation, including any check of financial or credit information, conducted for the purpose of review by the Tennessee Supreme Court. I also specifically waive any rights or privileges of confidentiality otherwise conferred in relation to checks of the Board of Professional Responsibility, Board of Judicial Conduct, Board of Law Examiners, or similar entity.

Dated: August 28, 2014.

  
Signature

Return your completed application to:  
Debra Hayes  
Administrative Office of the Courts, Suite 600  
511 Union Street  
Nashville, Tennessee 37219



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

**AT NASHVILLE**

**STATE OF TENNESSEE,** )  
 )  
 **Appellee,** )  
 ) **No. M2019-01852-CCA-R3-CD**  
**v.** ) **DAVIDSON COUNTY**  
 )  
**WILLIE AUSTIN DAVIS,** )  
 )  
 **Appellant.** )

**ON APPEAL AS OF RIGHT FROM THE JUDGMENT  
OF THE DAVIDSON COUNTY CRIMINAL COURT**

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**BRIEF OF THE STATE OF TENNESSEE**

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**HERBERT H. SLATERY III**  
**Attorney General and Reporter**

**DAVID H. FINDLEY**  
**Senior Assistant Attorney General**  
**Criminal Appeals Division**  
**P.O. Box 20207**  
**Nashville, Tennessee 37202**  
**(615) 741-4350**  
**David.Findley@ag.tn.gov**  
**B.P.R. No. 20075**

# SUPREME COURT ANNOUNCES HERBERT SLATERY AS TENNESSEE'S ATTORNEY GENERAL AND REPORTER

September 15, 2014

Herbert H. Slatery, III will be the next Attorney General and Reporter of Tennessee, the Supreme Court announced this morning in Nashville.

Slatery, of Nashville, has served as Gov. Bill Haslam's chief counsel since 2011. Prior to that, he was an attorney at a Knoxville law firm for 30 years.

"He is an excellent lawyer with proven leadership ability and sound judgment," said Chief Justice Sharon G. Lee, who stood with the other justices to make the announcement about their unanimous choice in the courtroom at the Supreme Court building in downtown Nashville.

"This is an incredible honor and I am humbled by it," said Slatery in remarks after the announcement was made. "I am profoundly grateful for this opportunity." He thanked his wife, Gov. Bill Haslam, and Attorney General Robert Cooper, Jr.

"He has played an important role in drafting major legislation during the current term and has worked closely with all branches of government. The people of the state of Tennessee can be proud to have someone of his caliber and experience representing them," she said of Slatery.

Speaking for the Court, Chief Justice Lee thanked all of the applicants for their efforts and their commitment to public service.

"It was a challenging process because of the quality of the applicants. In the end we selected the person who we thought would be the very best lawyer to serve all Tennesseans," she said.

The Court also praised the work of the outgoing attorney general.

"The Court extends a special thank you to Attorney General Robert Cooper, Jr. for his eight years of dedicated service to the people of Tennessee, as he has led that office with the highest level of skill and intellect," Chief Justice Lee said.

Chief Justice Lee spoke to this year's open process for selecting the state's attorney general, describing how the Court accepted applications from any licensed attorney in the state. The completed and detailed applications were then made available to the public on the Court's website. The Court also held a public hearing where the applicants and their speakers made their case for appointment and members of the public expressed their opinions about the applicants. Finally, the members of the Court asked questions of the eight applicants during public interviews.

Slatery is a graduate of the University of Virginia and the University of Tennessee College of Law. He has served as counsel to Governor Bill Haslam since 2011. Before serving in the Governor's office, he practiced law for 30 years with Egerton, McAfee, Armistead and Davis in Knoxville. Slatery and his wife, Cary, have two children who both live in Knoxville.

# Behind the Headlines: Herbert Slatery

By Brian Reisinger – Senior Staff Reporter, Nashville Business Journal  
Dec 30, 2011, 8:05am EST

Just down the hall from Gov. Bill Haslam's office sits a man most business executives can understand wanting to keep close: his attorney. But among Haslam's top advisers, Herbert Slatery has emerged as a strikingly pivotal player in the Republican governor's first year.

It's a dynamic the congenial Slatery acknowledges, though in his own circumspect way.

"This is an unusual opportunity," said the 59-year-old Slatery, who became passionate — leaning forward, slipping out of his calm demeanor — mainly when talking personally about the governor.

A childhood friend, the governor's legal counsel wields a personal relationship with Haslam that's among the most potent in the administration, insiders and observers say. That's made him central to issues affecting business, including the selection of Haslam's cabinet, the passage of tort reform and the formation of a deal with Amazon.com after controversy over sales tax policy.

Every governor has his top advisers, and in this case it's a corporate attorney with a quiet but fierce devotion to Haslam on a personal level. He's joined the governor — whose individual success he calls his top objective — after years of watching in admiration.

Slatery remembers knowing the 53-year-old governor as a young boy. His grandmother lived down the street from the Haslams, and the families grew up playing in the neighborhood and going to sporting events together.

Slatery, the son of a business man in the meat packing industry, became a corporate attorney. Longtime corporate client and friend Bill Sansom — himself a former top official under then-Gov. Lamar Alexander — described an attorney who offers careful judgment, candor and humility.

"He doesn't need to be the front guy," said Sansom, chairman and CEO of The HT Hackney Co. of Knoxville. "He just wants to help make it right."

But in politics the definition of right is relative, and his status has tied him to tough debates and political maneuvering.

Though easily passing the Republican-dominated Legislature, Haslam's legislative package was not without its detractors. Tort reform — which placed caps on non-economic damages in court as a way to reduce risk and associated business costs — had Democrats describing Haslam as losing focus on jobs while damaging a system that protects consumers and workers.

State Sen. Lowe Finney, leader of the Senate Democratic Caucus, said the Haslam administration should try to focus Republicans away from partisan issues toward those that more directly create jobs. He cited past bills creating the state's TNInvestco venture capital program and mega sites for corporate relocation as examples.

**RECOMMENDED**

Ex 5

“I hope that we see some of those types of things in the next session,” he said.

Slatery said tort reform is among the criteria that puts states on the short list for business recruitment and argued there’s still enough accountability in the court system through economic and punitive damages.

The broader session, meanwhile, had some observers — including political allies of Haslam — believing the administration unprepared for the dynamics of state politics. How and when to compromise, take stands and maneuver behind the scenes generated critique.

For his part, Slatery describes the governor’s agenda — jobs, education reform, fiscal restraint — as in tune with what the state needs. He steered clear of bemoaning state politics, preferring to tout the governor’s focus on running state government, with maneuvering just part of the job.

In his mind it all comes back to that one client — Haslam — and the weight of what he does each day.

“There’s a sense of gravity to everything that you do,” Slatery said. “And we all hope we handle that well.”

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

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**DECLARATION OF CATHERINE FLEMING DAVIS**

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1. I, Catherine Fleming 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 59 years of age, and the wife of Mr. Willie Austin Davis.
3. On September 19, 2014, I hand-delivered a letter for Tennessee Attorney General Herbert Slatery to Ms. Laura Hunt in Governor Bill Haslam's Office at the Tennessee State Capitol Building. A copy of the September 19, 2014 letter, a Jan 31, 2014 email to Mr. Herbert Slatery, a Feb 8, 2014 email to Mr. Herbert Slatery, and a February 10, 2014 email to Governor Bill Haslam, are included in my husband's March 3, 2021, court of review motion as Exhibit 3.
4. To date, Gov. Bill Haslam and Attorney General Slatery have not responded to me.
5. My husband, Willie Austin Davis, was acquainted with former Tennessee Titans Quarterback Steve McNair via mutual friends at The Ensworth School, and via the WNSL. My husband was born in Natchez, Mississippi near Alcorn State where Steve McNair played college football. My husband's great-grandfather was a farmer in Prentiss, Mississippi, where my husband spent time as a child on summer visits. Steve McNair is buried in Prentiss, Mississippi. My husband prayed for Steve McNair during the final year of Steve McNair's life after writing his name on a piece of paper and placing it on our refrigerator in our family kitchen as a daily reminder.

I declare under penalty of perjury that the foregoing is true and correct. Executed by me this 3rd day of March, 2021.

Catherine Fleming Davis  
Catherine Fleming Davis

STATE OF TENNESSEE )  
COUNTY OF DAVIDSON )

Personally appeared before me, Marquetta Flournoy, a notary public in and for said County and State, the above-signed, Catherine Fleming Davis, and did make oath that the information contained in the foregoing document was true and correct to the best of her information, knowledge, and belief.

Sworn to and subscribed before me this 3 day of March, 2021.

Marquetta Flournoy  
Notary Public

My commission expires: September 25, 2021



**From:** Catherine Davis <vaiglenn18@aol.com>  
**To:** herbert.slatery <herbert.slatery@tn.gov>  
**Subject:** Letter To Tennessee Attorney General Herbert Slatery  
**Date:** Fri, Sep 19, 2014 11:56 am

Dear Mr. Slatery,

Congratulations on your historic selection as the new Tennessee Attorney General. I know you are very busy and may not have seen, or even remember, several emails I sent you earlier this year:  
<http://www.keepandshare.com/doc4/45536/2014-d-jan-31-catherine-davis-emails-to-herb-slatery-gov-haslam-292k?da=y>

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

Encouraged by this information, I wanted you to know about the never-ending abuse of my family prior to your speaking engagement at Covenant Presbyterian Church on February 3, 2014. I am sorry I did not get my message through to you, or that people may have provided you untrue information about me:  
<https://soundcloud.com/vaiglenn18/herbert-slatery-speech>

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

I am grateful to the Supreme Court for allowing this public hearing, and I am also grateful my husband was permitted to make a 3-minute public statement before the 8 Attorney General candidates:  
<http://youtu.be/BvH9UTHnB6c>

If you have any doubts about the veracity of my husband's public statement, I would encourage you to read the sworn statements submitted to Judge Carol Soloman on August 13, 2014:  
<http://www.keepandshare.com/doc4/44871/2014-w1-aug-13-4th-lawsuit-exhibits-1-5-motion-to-recuse-judge-soloman-3-0-meg?da=y>

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

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

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

Capitol 1st Floor



**Catherine  
Davis**

ID# V120171644

**LOBBYBOARD**  
Sign In. Sign Out. Secure.

09/19/14 11:59 pm

Received by Governor  
Haslam's office on 9/19  
1:37 pm  
Laura Hunt

EX5

On Jan 31, 2014, at 5:35 PM, "Catherine Davis" <valglenn18@aol.com> wrote:

**Men's Luncheon** Mon February 3, 2014 12:00 PM

**Speaker: Herbert Slatery, Counsel to the Governor** No reservation required. **Cost: \$7.** **Menu:** Will's Pork BBQ, Turnip Greens, Quinoa and Red Beans, Orange Slaw, Corn Bread, Fried Apple Pies **Contact:** Pastor Billy Barnes 383-2206, ext. 210 billyb@covenantpres.com

*Dear Mr. Slatery, Let me acknowledge upfront that this is an unexpected letter since you and I have never met and do not know each other. I am writing to make you aware of a concealment effort by Covenant Presbyterian Church, where you are scheduled to speak publicly on Monday at 12:00 pm.*

*I would suspect that Covenant did not tell you how they covered for one of their own founders/leaders, a confessed child molester. Since this concealment was done, I have been speaking out and asking questions, for many years, about some damaging treatment of members and children and the Church's use of a 'safe house' owned by a confessed child molester.*

*Metro police have been used to suppress me and my family, including an 'off the record' visit to my house this past spring, other visits, and a legitimate visit, on the day I received a death threat about my husband in the U S mail and the letter was collected in an evidence bag.*

*Also, we had a police spotlight shine across our home in the early hours of the morning after we filed our first lawsuit in June of 2013.*

*The harassment of my family and bullying of my daughter became so bad that I finally took her out of Harpeth Hall at the beginning of her junior year. To further intimidate us, my mother and I were banned from the church property- physically blocked by a group of male elders on one occasion, and another time, chased off of the property in broad daylight.*

*My husband also remains under threat of arrest, has been repeatedly warned of leaders wishing to put him in jail (including a church "commission" apparently formed for such purposes), and there is no apology forthcoming from Metro Police, OPA, or the DA's office for such harassment being carried out in Nashville.*

*How is all of this harassment, intimidation and banning possible? The property deed does not identify the city of Nashville as owning the church property? Nor Metro Police, or the bodyguards who assaulted our family? Nor Jim Bachmann? Nor Covenant Elders or Deacons?*

*My great uncle ran the Andrew Jackson back in the grand hotel era in Nashville, and later ran the Hermitage. My great uncle was a close personal friend to Senator Albert Gore and over the years our families have remained friends for all kinds of reasons. I considered Albert and Pauline Gore to be like my grandparents, I loved them dearly, and when they were old and needed some fun companionship, a day out of the house and some loving encouragement, I sent my husband to Carthage to drive them down to attend Covenant services and to enjoy lunch with my family on many, many occasions.*

*During this period of time when their son was Vice President, my husband and I had to have secret service clearance. I only tell you this to impress upon you the ridiculous claim that anyone in my family is a threat to the church or to anyone else-- anywhere. In my opinion, anyone*



should be welcomed to a church service with loving open arms and I will never be put to shame by anyone for loving Albert and Pauline, or any of the Gore family, or for ever taking any of them to church with me as guests of my family.

As you prepare to speak to the Covenant Men on Monday, I understand you may have accepted the invitation because someone asked you to do it and you probably felt that you were performing a good deed for a group of well-meaning church people. However, your physical presence as Governor Haslam's legal counsel gives the Covenant Leaders (including Jim Bachmann who wore a bullet-proof vest under his black robe) a formidable show of legal support, which communicates to the listening audience that everything is OK with Covenant Leaders and nothing up there has ever been done unlawful or ethically wrong.

Federal Judge John Bryant has already been utilized in this campaign of "righteous, legal" elitism when he was named as a member of an internal Covenant lawsuit committee in an email sent to all the 2000 members of Covenant on June 24, 2013. Would Governor Haslam want his right-hand legal counsel to send such an "all-clear" message of endorsement to 2000 church members and the wider Nashville community?

I realize this letter will probably not change anything you choose to do and you are most likely to ignore me and allow Covenant Leaders to continue to discredit me and my family. But I must beg you. I plead with you. I plead with the Governor. Please do not help these church leaders destroy my family as they have been trying to do now for six long years. Please, please, please. I beg you. Please listen to this audio link before you go to Covenant to speak on Monday:

<https://soundcloud.com/valgienn18/judge-solomon-recusal-hearing>

Respectfully yours,  
Catherine Davis  
5895 Willshire Drive  
Nashville, TN 37215  
615-579-7282  
Isaiah 54:17

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

From: valgienn18 <valgienn18@aol.com>  
To: herbert.slatery <herbert.slatery@tn.gov>  
Cc: bill.haslam <bill.haslam@tn.gov>; demetria.kalodimos <demetria.kalodimos@wsmy.com>; cbundgaard <cbundgaard@wkm.com>; ealvarez <ealvarez@fox17.com>; nberes <nberes@newschannel5.com>; pwilliams <pwilliams@newschannel5.com>; tomhumphrey3 <tomhumphrey3@aol.com>; bhaas <bhaas@tennessean.com>; tgonzalez <tgonzalez@tennessean.com>; jrlind <jrlind@nashvillepost.com>; jrlind <jrlind@southcomm.com>; scavendish <scavendish@nashvillepost.com>; jmeador <jmeador@nashvillescene.com>; Ralph.Bristol <Ralph.Bristol@cumulus.com>; michael.delgiorno <michael.delgiorno@cumulus.com>; doug.himes <doug.himes@capitol.tn.gov>; scase <scase@fox17.com>; mcass <mcass@tennessean.com>  
Sent: Sat, Feb 8, 2014 1:03 pm  
Subject: Applauding Covenant

Dear Mr. Slatery,

I am disappointed you chose to applaud Covenant's contribution to the community last Monday, mostly because you did not contact me or search the matter out: <https://soundcloud.com/valgienn18/herbert-slatery-speech>.

I do not care how big and important a church is, if a church does not provide human beings love and truth, it is a clanging cymbal, passing away. To demonstrate love and truth, Covenant members need to stop the rampage of lies, slander and gossip long enough to ask me about what their leadership has done, and they should care more about abused young children than they presently do. It does not matter if a person is a

despised beggar like me, or a Governor like Bill Haslam, or an important lawyer like yourself, the rules and laws apply to all of us and no person is above the law, not even the DA's office or the Metro Police.

Some emails sent to me in recent days have struck me as decidedly unloving (see in red below). You, Governor Haslam, Covenant Members and those who sent me these emails all seem to be "locked-in-arms" that Covenant Leaders have not concealed a known child-molester with access to a private elementary school by using Metro Police?

Have all the parents of The Covenant School been informed of this inappropriate conduct or is this still a private, internal matter undisclosed to The Covenant School parents, especially to those parents who are non-church members? Is the known child molester banned by police from returning to the church-school property or is my family still the only people subject to unwarranted arrest by Metro Police?

I realize you do not want any questions on "litigation" and the Covenant audience found this comment to be funny (start at 33:44 in audio link above). However, the deliberate shielding of a child-molester while attacking my family with police does not amuse me.

This Sunday morning, and every public church gathering hereafter, each Covenant man or woman who stands before the congregation or a Sunday School class is effectively participating in a public endorsement of a child-molestation cover-up which has now lasted for almost six years under the cover of Metro Police.

If you and the Governor do not search the matter out, and if the courts of Tennessee continue to block us from ever getting our rightful day in court, and if the Tennessee Media never reports a single word about the concealment of a child-molester with the help of Metro Police, it is a tragic day for all Tennesseans and will ultimately set a precedent for all Tennessee houses of worship to become "safe sanctuaries" for the hiding of child-molesters if First Amendment arguments by PCA attorneys prevail in Tennessee civil courts.

For the moment, a California news agency is the only media organization in the United States to serve the public interest by reporting on any aspect of two lawsuits and Covenant Members probably do not even know about the 2nd lawsuit filed in October 2013: <http://www.courthousenews.com/0/24/62312.htm>.

Did Covenant Leadership share this California news report with you or Governor Haslam prior to your speaking at Covenant on Monday?

Again, I beg with you, I plead with you. I plead with Governor Haslam. Please, please, please, do not provide the Governor's seal of approval for the use of Metro Police to invade my family's property, or anyone else's private property, for the sole purpose of suppressing First Amendment rights in an effort to conceal a known child molester.

Respectfully yours,  
Catherine Davis  
5895 Wilshire Drive  
Nashville, Tn 37215  
615-579-7282  
Isaiah 54:17

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

From: Jimmy Stansell <jstansell@ [REDACTED]>  
To: Catherine Davis <vaiglenn18@aol.com>  
Sent: Sun, Feb 2, 2014 7:00 pm  
Subject: Re: Please Do Not Delete - Herb Slatery - Covenant Men's Luncheon

Get a life and stop sending me your drivel.

-----Original Message-----From: Jerry Harris <HarrisJ36@ [REDACTED]>  
To: 'Catherine Davis' <vaiglenn18@aol.com>  
Sent: Tue, Feb 4, 2014 2:19 pm  
Subject: RE: Please Do Not Delete - Herb Slatery - Covenant Men's Luncheon

Please delete this email address from all of your mailings. I have no desire to hear anything further from you or to have you email anything to me--ever.

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

From: vaiglenn18 <vaiglenn18@aol.com>

To: bill.haslam <bill.haslam@tn.gov>

Sent: Mon, Feb 10, 2014 7:14 pm

Subject: If The Salt Has Lost Its Savor...

Dear Governor Haslam:

I was disheartened when I heard Covenant's Sunday sermon: <https://soundcloud.com/vaiglenn18/enemies-of-god-feb-9-2014>

The message was preached after I sent you and others an email this past Saturday (see emails below). I would recommend the entire audio but the sermon begins at 31:53 and a later segment (51:23 - 52:21) is of interest.

Also, here is a video you should watch: <http://www.youtube.com/watch?v=AdxWNBq6nbsyou>

I realize I am foolish for speaking out but what was done was wrong.

I certainly hope you and Mr. Slatery do not condone using the police to conceal a known child-molester.

I look forward to hearing from you soon.

Respectfully yours,  
Catherine Davis  
5895 Willshire Drive  
Nashville, Tn 37215  
615-579-7282  
Isaiah 54:17

Sept 12, 2017 – Daisy Davis provided sworn court testimony that she was banned, abused and molested during the on-going Mann Act Federal crime cover-up to protect child-molester John Perry.



**BILL HASLAM**  
GOVERNOR  
STATE OF TENNESSEE

August 22, 2012

Mr. Austin Davis  
5895 Willshire Drive  
Nashville, Tennessee 37215-5111

Dear Austin:

Thank you for writing to me regarding your daughter, Daisy Davis. I was saddened to read your story, and appreciate you sharing this information.

After consideration and review, I believe that your best course of action is to seek legal advice regarding this matter. An attorney of your choice is in the best position to advise you of your options. Unfortunately, this office cannot advise you from a legal standpoint.

I am also forwarding your letter to Commissioner O'Day's office at the Department of Children's Services for further review and consideration.

I genuinely hope that an appropriate resolution is found soon. Please accept my best wishes.

Warmest regards,

A handwritten signature in black ink that reads "Bill Haslam".

Bill Haslam

BH:jh

EX5

**From:** fmdshiloh@aol.com,

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

**Subject:** Public Corruption - Child Sex Abuse Cover-Up

**Date:** Fri, Apr 23, 2021 12:08 pm

---

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/>

Exb



**FIDELISLAW** PLLC  
serving at the intersection of law and life

Robert M. Pautienus III  
Attorney At Law  
robert@██████████

April 26, 2021

**SENT VIA US MAIL AND EMAIL: [fmdshioh@aol.com](mailto:fmdshioh@aol.com)**

Willie Austin Davis  
██████████  
██████████

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

RMP/as

Ex7

██████████ Mallory Lane, Suite ██████████

██████████ Brentwood, Tennessee 37027

015 ██████████ fidelislawfirm.com ██████████

615 ██████████



**Parker T. Brown**

Phone:

615- [REDACTED]

Fax:

615- [REDACTED]

Email:

Email Me

Parker is an Associate at the law firm, having passed the Tennessee Bar in 2016. Parker practices in the area of estate planning, probate, church and nonprofit institutions, collections, business planning and formation, and business litigation. He is a member of the Tennessee Bar Association and Nashville Bar Association.

Parker was born and raised in Eustis, Florida before moving to Nashville to attend college. Parker earned his Juris Doctorate and graduated with honors from **Belmont University College of Law**. While at Belmont, Parker competed in the National Healthcare Moot Court Competition and was a Submissions Editor for Belmont's Law Review. **During his time at Belmont, Parker also worked as a judicial clerk for the Honorable Chief Justice Jeffrey S. Bivins of the Tennessee Supreme Court.** Parker's undergraduate degree is a Bachelor of Arts, summa cum laude, in Law, Justice, & Society from Lipscomb University.

Parker and his wife, Caroline, have one son and live in Franklin, Tennessee. **Caroline is a Victim Witness Coordinator for the Davidson County District Attorney's Office, working primarily with victims and witnesses of violent crimes.** Parker and Caroline are active members of Church of the City in Franklin. Parker enjoys spending time with family and friends.

On April 23, 2021, Austin Davis reached out to Lt. Gov. Randy McNally and Asst. U. S. Attorney Cecil Vandevender about Christ Presbyterian Church, Gov. Bill Lee, Gov. Bill Haslam, a Mann Act Federal crime cover-up, and the on-going abuse of his daughter. As of Aug 17, 2021, Austin Davis is still waiting on a response from Lt. Gov. McNally and Asst. U.S. Attorney Cecil Vandevender.

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

From: fmdshiloh@aol.com

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

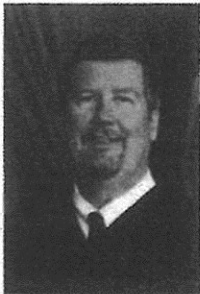
Sent: Fri, Apr 23, 2021 12:08 pm

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**



### Solomon v. Solomon et al

#### Tennessee Middle District Court

**Judge:** William L Campbell, Jr  
**Referred:** Barbara D Holmes  
**Case #:** 3:21-cv-00498  
**Nature of Suit** 840 Property Rights - Trademark  
**Cause** 15:1051 Trademark Infringement  
**Case Filed:** Jun 29, 2021

Docket

Parties (7)

Docket last updated: 9 hours ago

#### Thursday, July 08, 2021

**misc** **Annotation - Bar Status** **Thu 07/08 9:45 AM**

TN State Bar status verified as active for J. Alex Little, Zachary C. Lawson, Ross M. Johnson, and Kirk D. Catron admitted to this court . (jm)

#### Wednesday, July 07, 2021

**19** **1 pgs** **notice** **Notice (Other)** **Wed 07/07 4:32 PM**

NOTICE by Melanie Hicks (Catron, Kirk)

**18** **notice** **Notice of Filing** **Wed 07/07 3:46 PM**

NOTICE of Filing by Anna Smith Waiver of the Service of Summons (Little, J)



EX 8

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CRAIN LAW GROUP, PLLC

LARRY L. CRAIN (TN, VA, DC)  
EMILY A. CASTRO (TN, MI)  
VALERIE ROSENBAUM (Paralegal)  
ROSE SAM (Paralegal)

Writer's Email: [REDACTED]

June 16, 2021

VIA EMAIL

Shannon Ashley  
Shannon.Ashley@Medium.com [REDACTED]

Re: **Grace Chapel Church  
Cease and Desist Letter**

Dear Ms. Ashley:

This firm is legal counsel to Grace Chapel Church located at 3279 Southall Road, Franklin, Tennessee.

This letter concerns a recent blog posted by you on June 12, 2021 on Medium.com entitled "*I4yo Gracie Says Her Father Raped Her and Murdered Her Brother*". This blog contains several material misstatements regarding Grace Chapel Church which, taken as a whole, present a false and defamatory publication and which cast the church in a false light. In addition, your post appears to adopt wholesale and re-publish certain false and defamatory statements contained in a video statement published by Gracie Solomon.

Specifically, you state in your blog post the following false characterizations regarding the church and its present and former staff:

- (a) **Let me warn you -- it's a really difficult video to watch. In it, Gracie describes many instances of sexual abuse. She talks about the various ways their father belittled, intimidated, and controlled her brother, and how her whole family has suffered at the hands of Aaron Solomon...not to mention Grace Christian Academy and Grace Chapel.**

This statement is patently and demonstrably false as it relates to Grace Chapel. To the contrary, Grace Chapel has provided financial assistance to Angelia Solomon with a benevolence gift. In addition, when Ms. Solomon first reported to a member of the church staff her concerns about abuse on April 30, 2018, four days later, on May 4, 2018, the staff member accompanied her to the Williamson County Sheriff's Department where a report was promptly taken of this allegation.

[REDACTED] Maryland Way, Suite [REDACTED] Brentwood, TN 37027 | Phone: (615) [REDACTED] | Fax: (615) [REDACTED]

Shannon Ashley  
June 16, 2021, p. 2

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**(b) Gracie attends Grace Christian Academy, which is effectively run by Grace Chapel in Franklin, Tennessee.**

Grace Chapel Church is a wholly separate corporate entity from Grace Christian Academy. The two entities have their own independent boards and there is absolutely no oversight, control or governance by Grace Chapel of Grace Christian Academy.

**(c) Aaron, a member of their (Grace Chapel's) church is currently suing more than 20 people including a GCA classmate Anna Smit for giving video testimony about her talks with Grant, Gracie, and school counselors.)**

Aaron Solomon is not a member of Grace Chapel.

**(d) As a survivor of evangelical abuse and a mother who lives less than three hours away from Grace Chapel, I have a pretty good feel for the garbage Gracie and her mother are up against.**

This statement is susceptible of a false and malicious inference that Grace Chapel engages in "evangelical abuse" and is constitutes defamation by innuendo.

The purpose of this letter is to place you on formal notice that these false and defamatory statements constitute actionable and threaten to injure the reputation and standing of Grace Chapel in the community. On behalf of my client, I am hereby making demand that you publicly retract these statements forthwith and that you cease and desist from making or publishing any such false statements in the future regarding Grace Chapel. You are further advised that unless I receive at my office proof of a retraction by you of these comments by **June 21, 2021**, I have been directed by my client to proceed with an action to enforce its legal and equitable remedies and to seek compensatory as well as punitive damages, costs and attorney's fees.

I look forward to a prompt response from you to the concerns set forth herein.

Very truly,

*Larry L. Crain*

Larry L. Crain

██████████ Maryland Way, Suite ██████████ Brentwood, TN 37027 | Phone: (615) ██████████ Fax: (615) ██████████

<https://medium.com/honestly-yours/a-tennessee-girl-says-her-father-raped-her-and-murdered-her-brother-3boob93fd54e>

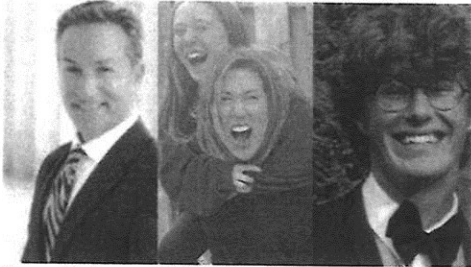
## 14yo Gracie Says Her Father Raped Her and Murdered Her Brother

Why aren't we hearing her story?



Shannon Ashley

Jun 12 · 18 min read



Aaron Solomon | LinkedIn (left), Gracie and Angelia Solomon | Instagram (middle), Grant Solomon | Instagram (right)

***Note: I'm a writer and bloggers, folks. Not a journalist. These are my thoughts and opinions after pouring over the details of Gracie's story.***

On the morning of Monday, July 20, 2020, Grace Christian Academy student Grant Solomon was reportedly struck by his own truck in a fatal parking lot accident just 15 minutes before baseball practice. Grant had been 18 for only one month. According to his father, Aaron Solomon — and the only witness to his son's death — Grant parked his truck at the Ward Performance Institute in Gallatin, Tennessee, and went to get his baseball gear from the bed of his truck when it rolled backward, dragged him across the pavement, down a hill, and into a ditch. Aaron says he was parked next to Grant, and that he was inside his own vehicle checking work emails when he realized what had happened.

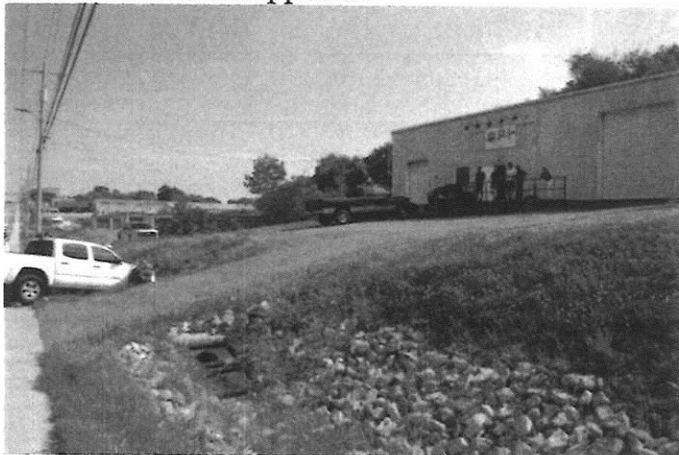


Photo from the Gallatin police department that shows workers attempting to retrieve Grant's truck after the accident.



Another image of Grant's car in the ditch | Instagram

Airway / Ventilation		Circulation	
Breathing: <input type="checkbox"/> Spontaneous <input checked="" type="checkbox"/> Apneic <input type="checkbox"/> Arousal <input type="checkbox"/> Assisted		1st Rhythm Requiring Compressions: <u>PTA PEA</u>	
Time of First Assisted Ventilation: <u>PTA</u>		1st PULSELESS Rhythm: <u>PTA PEA</u>	
Ventilation: <input type="checkbox"/> Bag-Valve-Mask <input checked="" type="checkbox"/> Endotracheal Tube		Compressions: <input type="checkbox"/> None <input checked="" type="checkbox"/> Manual	
<input type="checkbox"/> Tracheostomy <input type="checkbox"/> Other: <u>IS</u>		Time Chest Compressions Started: <u>PTA</u>	
Intubation: Time: <u>PTA</u> Size: <u>7.5</u>		AED Applied: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No → Time: <u>PTA</u>	
By Whom: <u>EMS</u>		External Pacer: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Confirmation: <input checked="" type="checkbox"/> Circulation <input type="checkbox"/> Verified CO2		Total IV Fluids Administered: <u>1500mL</u>	
<input type="checkbox"/> Other:			
Disposition			
<input type="checkbox"/> Survived	<input type="checkbox"/> Transferred to CCU	<input type="checkbox"/> Transferred to Another Facility	
<input checked="" type="checkbox"/> Expired	Time of Death: _____	Autopsy Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	TDS Notified: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Disposition of Valuables: <u>Socks and shoes with mom</u>			
Events leading to Code Blue/Comments*			
<p>Patient with father about to practice pitching. Put Car in Park, got out and went to get baseball bat out of the back of the truck. Dad thinks truck was not in park truck rolled back on patient, dragging him down a hill and into a ditch. EMS and Fire arrived, extricated patient from under truck. EMS intubated patient, started an IO to lower left extremity. CPR in progress</p>			

Notes from Sumner Regional Medical Center after EMS brought Grant to the hospital. Socks and shoes are the only noted valuables. | Instagram

Aaron Solomon called 911 at 8:44 AM from the parking lot, and Grant was taken to the hospital by an ambulance where he was pronounced dead before 9:30 AM. "My son's truck backed over him, it's rolled over him and drug him into the ditch and it's on top of him. He's not alert, he's out and he's trapped. I got three guys here and he's trapped under the truck." — Aaron Solomon, on 7/20/20 911 call



		Right Upper	-	Distension, Mass, Other
		Left Lower	-	Distension, Mass, Other
		Right Lower	-	Distension, Mass, Other
		Cervical	-	Not Assessed
		Thoracic	-	Not Assessed
		Lumbar/Sacral	-	Not Assessed
		Pelvis/GU/GI	-	Not Assessed
	Absent pulses. No obvious deformity or visible injuries to the extremities.	Left Arm	*	Abnormal Pulse
			-	Edema, Other
		Right Arm	+	Abnormal Pulse
			-	Edema, Other
		Left Leg	-	Edema, Other
		Right Leg	-	Edema, Other
		Pulse	+	Carotid: Absent, Radial: Absent
		Capillary Refill	-	Not Assessed
	Neurological	+	Other	

Unresponsive  
 Incident Time: 07/20/2020 08:56:00

Police 12 responds emergency traffic to the scene of a reported MVC vs. a pedestrian. Patient is C/O multiple injuries due to being struck by a vehicle, and a resulting traumatic cardiac arrest. Patient's PMA is unable to be obtained as the patient is unresponsive UOA. Patient was reportedly forced under the vehicle as it was rolling down an inclined parking lot until finally coming to rest in the drainage ditch bordering the roadway with the patient trapped underneath the vehicle and unresponsive. EMS was requested by witnesses on scene at the time of the incident.

JOA to scene, vehicle is found lying on its side in the drainage ditch underneath the front of the truck between the two front tires, however, the weight of the vehicle was supported by the wheels and was not being borne upon the patient. Upon initial impression, patient is noted to be unresponsive but breathing, and is noted to have some bleeding from the scalp, nose and ears. Primary assessment is limited due to inability to access the patient. Initially, the patient's airway appears to be patent, but at risk of obstruction due to blood. Patient's respirations are initially of an adequate rate and depth, but appear to be labored as evidenced by the movement of the patient's body upon respiration. Patient initially has a pulse, but weak carotid pulse prior to extrication, however, during extrication, the pulse is reassessed and can no longer be palpated. Patient's VS are as noted previously, however, VS are unable to be assessed until after the cardiac arrest occurred. Patient's presenting ECG rhythm is a wide-complex PEA, with the only change occurring a later conversion to a narrow-complex tachycardic PEA. Breath sounds after placement of the ETT reveal decreased volume on the left side of the chest, and are clear on the right. Patient is in the supine position. Assessment, although assessment is limited. Detailed assessment findings are as noted previously.

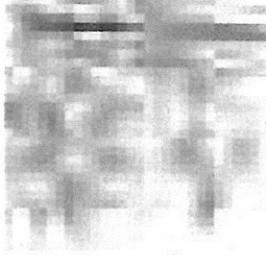
Primary assessment is performed. Patient access is limited due to patient's position under the vehicle. GFD is able to lift the front of the vehicle enough to allow the patient to be easily extricated, and patient is placed on a long spine board and secured with straps. Chest compressions are initiated at that time. Patient is blind repositioned on stretcher at person BR and LSP with patient and secured on stretcher and secured with straps. Patient is transported to unit via stretcher with compressions performed. Devices are placed on the patient's chest, and ECG is obtained at that time. Vascular access is established via a 25-gauge IZ-IG needle and an infusion of NS is initiated at that time. Patient is then administered 1mg of Epinephrine 1:10,000 via IO. Patient's oxygenation is then assessed, evacuating blood using a large-bore rigid suction catheter, and patient is then intubated via a 7.5 ETT, which is advanced to a depth of 23cm at the teeth. Vocal cords are visualized, condensation is noted in the ETT, epigastric sounds are absent, BSI is present, and tracheal placement is confirmed with waveform capnography. Tapes are secured with TheraTape. Chest compressions and ventilations are continued by receiving resuscitation team. Verbal report is given. At that time, patient care is assumed by accepting facility's staff.

Patient is continuously reassessed and monitored for any changes on route, and CFB is continued for duration of transport. During transport, patient is administered an additional 1mg of Epinephrine 1:10,000 via IO. Patient is transported without incident and w/ no changes during transport. UOA to clinic, patient is intubated and transported via stretcher to ED room. Patient is transferred to bed via LSP at person BR with an additional team member stabilizing the patient's airway. Chest compressions and ventilations are continued by receiving resuscitation team. Verbal report is given. At that time, patient care is assumed by accepting facility's staff.

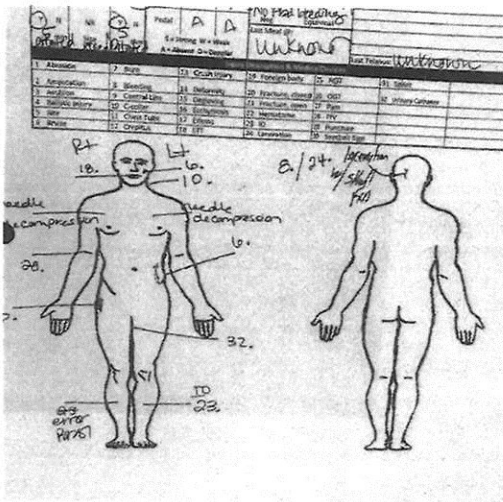
Cardiac Arrest		Yes, After EMS Arrival	Presented CPR Instructions	No	In Field Performed
Cardiac Arrest Etiology	Trauma		Not Applicable		Expired
Estimated Time of Arrest	0-2 Minutes		Not Applicable		None
Est Time Collapse to 911	1 Minute		PEA		Physician
Est Time Collapse to CPR	1 Minute		PEA		Physician
Arrest Witnessed By	Witnessed by Healthcare Provider		None		
CPR Initiated By	EMS		Expired in ED		

Police report on Grant's death | Instagram

For Grant's sister Gracie and their mother, Angelia, Aaron's account of the incident didn't make much sense. They said that Grant *never* kept his baseball gear in the bed of his truck, but always in the back seat on the driver's side. Why would he be behind his truck? How did the truck pull him under and drag him without his father hearing any cries for help? Friends and family say Grant always communicated with his girlfriend from his truck upon arrival at a new location (via phone, text, or Snapchat) and before exiting the vehicle. Nobody could explain why he didn't do that the morning he died. Where was his phone, anyway? Eight days later, when Aaron described the incident on video to his ex-wife Angelia, he indicated that Grant was indeed getting his gear from the backseat and *not* the bed. Angelia, a Doctor of Pharmacy, couldn't understand why Grant's injuries seemed so inconsistent with Aaron's story. She says she was shocked to see her son's body *intact* with so little injury.



Ex 8



Hospital documentation listing Grant's injuries and medical devices | Instagram

Hospital staff recorded a single laceration with bleeding on Grant's skull and three bruises — one on his jaw, one near his left hip, and one on his right thigh. Grant drove that truck for about an hour just to get to baseball practice, and Aaron said the truck dragged his son across the asphalt into that ditch filled with rocks. Yet no further injuries were recorded. No burns from the hot vehicle or abrasions from getting dragged along an asphalt lot. No punctures, fractures, bleeding, or any other wounds beyond those three bruises and the one laceration to his head. Although Grant's mother requested an investigation, police took Aaron's statement and promptly closed the case. At the time of his son's death, and before Angelia arrived at the hospital, Aaron filled out paperwork to decline an autopsy, post-mortem examination, or organ donation. Grant was living with his mother, but Aaron didn't consult his ex-wife on any of these decisions.

**SUMNER REGIONAL MEDICAL CENTER**  
120 HERTFORD PIKE  
GALLATIN, TN 37066

**AUTHORITY TO RELEASE BODY**

I, we, hereby grant authority to the Sumner Regional Medical Center to release the body of Solomon Grant

Source: Family Patient: [Redacted] Patient Number: 20

Home Address: [Redacted]

To Name of Funeral Home: Williamson Memorial Funeral Home

Address of Funeral Home: [Redacted]

Date of Birth: 1/18/02 Age: 10 Sex: M Date Expired: 12-31-50 Hour: 0:10

Primary Care Physician (PCP): [Redacted]

If there is no PCP, ATTENDING physician: [Redacted]

I, we, hereby do hereby authorize the Sumner Regional Medical Center to perform and prepare services:

Name of the Signatory: [Redacted]

Reason: Father

Address: [Redacted]

Permission for Post-Mortem Examination: Granted  Not Requested

Medical Legal Autopsy Required: Yes  No  Time: 09:15 by [Redacted]

Transfuse donor Serum: Yes  No

Placenta Identified as a Potential Organ/Tissue Donor: Yes  No

Family Obtained Organ/Tissue Donor Consent: Yes  No

Donor Option: Accepted  Declined

Transit Out of State: Yes  No  Charitable: Yes  No

Maternity Inpatient: Yes  No  Intake Amount: [Redacted]

Contagious Disease: Yes  No  Pathogen: [Redacted]

Signature of PCP: [Redacted]

\*I, we, authorize in advance the Sumner Regional Medical Center to use the "Anatomy for Anatomy" to be completed and taken with the patient's medical record to the laboratory and given directly to an employee of that department.

Date/Time Released in Lab: \_\_\_\_\_ By: Whom

**RELEASE TO FUNERAL DIRECTOR**

This part is to be filled out by funeral personnel only.

Time Funeral Home Called: 09:15 Received from Sumner Regional Medical Center, the body of Solomon Grant

Funeral Home: Williamson Memorial Only Released by: Williamson Memorial

Date: 1/18/02 By: Williamson Memorial

Funeral Home: Williamson Memorial

\*The ATTENDING physician signs and the death certificate is filed in the patient's medical record.

Sumner Regional Medical Center  
120 HERTFORD PIKE  
GALLATIN, TN 37066

Authority to release Grant's body | Instagram



Police also released the vehicle back to Aaron Solomon without an inspection for any issues. Some of you might recall the death of actor Anton Yelchin in 2016 when his Jeep Grand Cherokee rolled backward and pinned him against a brick pillar in his driveway. Just a few months earlier, Fiat Chrysler had recalled 1.1 million vehicles including Yelchin's "after an investigation found that electronic shifts could spring back to their previous position after being moved to a different gear." Having read about *that* freak accident, I was surprised to learn that Aaron would drive the same truck that killed his son without concern for his own safety. Later that week at his son's memorial, Aaron gave a speech where he described how the family used to call Grant Mr. Peepers because he was so wide-eyed and curious. Seven and a half minutes into that speech, Aaron strangely said: "Fast forward to Monday morning. Around 8:45, something happens right beside me that is such a blink of the eye, bizarre, flukey, tragic, unexplainable accident that takes Grant's spirit from this earth... and the only way I can rationalize it in my mind is it's a godly thing." After listening to Aaron's speech about his son, many people have expressed deep discomfort and likened his composure to an emotionless performance of a man more interested in himself than his recently deceased son. Even knowing that we all grieve in different ways (and I've been known to seem overly aloof), I admit the video rubbed me the wrong way as well. It was hard to watch or even get through the Mr. Peepers bit. My stomach turned when Aaron called his son's death a good thing... as if it served God. Today, Grant Solomon's sister Gracie is just 14 years old. On May 12 of this year, an anonymous account called *Freedom For Gracie* uploaded an 18-minute video to YouTube, where the teenager made many serious allegations against her father, including rape in a North Carolina hotel room and a literal lifetime of sexual abuse. Let me warn you—it's a really difficult video to watch. In it, Gracie describes *many* instances of sexual abuse. She talks about the various ways their father belittled, intimidated, and controlled her brother, and how her whole family has suffered at the hands of Aaron Solomon... not to mention Grace Christian Academy and Grace Chapel. Gracie accused the founding church pastor of lying publicly about a conversation he had with Grant. She says Grant wanted Pastor Steve Berger's help to stop the abuse, but Pastor Berger claimed Grant just wanted to talk about Jesus. In her video, Gracie states her father respected her boundaries for a couple of years — *after* the rape and after she and Grant ran away from Aaron's home to live with their mother—but says he began harassing her again as soon as Grant died. She doesn't even want to go to school anymore because she says Aaron shows up whenever he feels like it, disregards and fights her temporary restraining order, and that the school allows him on their property without asking him to leave. She said Grant had a plan to fight their father in court when he turned 18 because then he suspected his word would be taken more seriously. Gracie believes her father killed her brother to prevent that from happening, and now she's afraid he'll try to kill her too. Along with Grace's video, *Freedom For Gracie* also posted the testimony of a GCA classmate named Anna Smith who says she often heard Grant talk about his father's abuse. According to Anna, when she went to school authorities to get help for the kids, she was told there was nothing they could do. Anna claims that Gracie also told her that the school dismissed her fears about Aaron and her allegations of abuse, by telling her to let it go. As in, *oh that was years ago*. For many survivors of abuse within tight-knit religious communities, it's all eerily familiar. Folks who listen to Gracie and believe her story can't fathom how so many adults failed her and Grant for years. But for those of us who are well acquainted with abuse in a church, we know such stories aren't uncommon. The people behind the YouTube videos have also created an Instagram account where they've posted a multitude of documents supporting Gracie's story. Again, these are all painful reads, and it's heartbreaking that a 14-year-old child and her believers have had to take to social media just to try and get some bit of justice. I'll admit that when I first found out about Gracie's story, I was personally overwhelmed and unsure that I could even write about it. All of the news coverage about Grant's death just glossed right over any details, often calling it a car crash, and they mostly focused on the fact that he was Aaron Solomon's son and the nephew of a PCA girl's basketball coach. You see, Aaron Solomon is a former News 4 Nashville morning show co-host and sports anchor, and he's a current financial advisor with Merrill Lynch. Glancing at his social media profiles, he *looks* like a doting father. Certainly not a father whose children have been documented to be terrified of him for years. I try to imagine how I would react if my daughter told the world she wanted nothing to do with me—I don't think I'd feel good about posting her photos online anyway as if only my feelings mattered.



**Aaron Solomon**

@theaaronsolomon

Joined October 2015

1,167 Following 817 Followers

**These Tweets are protected.**

Only confirmed followers have access to @theaaronsolomon's Tweets and complete profile. Tap the Follow button to send a follow request.



**Aaron Solomon**

Add Friend

Financial Advisor at Merrill Lynch Wealth Management

Worked at **WSMV News 4, Nashville**

Worked at Radio personality

Worked at TELEVISION NEWS ANCHOR

Some of Aaron Solomon's social media accounts

Aaron's even posted fundraisers on Facebook for "Our Kids," a ministry whose mission is to help children who've been sexually abused. It's... ironic.



Aaron Solomon created a fundraiser  
for Our Kids

Nov 25, 2020 · Fundraisers · 🌐

Want to join me in supporting a good cause? I'm raising money for Our Kids and your contribution will make an impact, whether you donate \$5 or \$500. Every little bit helps. Thank you for your support. I've included information about Our Kids below.

The Our Kids mission is to provide expert medical evaluations and crisis counseling services in response to concerns of child sexual abuse, and to increase community awareness, conduct research and offer education and training about child maltreatment.

Facebook pays all the processing fees for you, so 100% of your donation goes directly to the nonprofit.

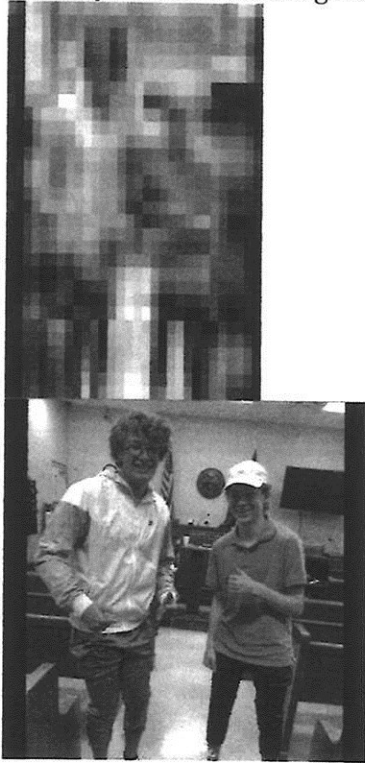
# Our Kids

Aaron's fundraiser for Our Kids

From Aaron Solomon's Facebook account

However, there are many disturbing documents and testimonies on the *Freedom For Gracie* Instagram account, including numerous statements from mental health professionals claiming that Grant, Gracie, and their mother Angelia have all suffered significant trauma due to an abusive relationship with Aaron Solomon. Back in May 2013, Aaron claimed his wife was depressed and suicidal, and that she tried to hang herself in the bathroom shower with a hairdryer cord. Aaron claimed he didn't call 911 because he didn't want to upset the children, but he left the house to go talk to her parents because he said Angelia began hitting and punching him when she regained consciousness. The next day, Aaron did call 911 and had his wife get a mental health examination. None of the examiners thought that she was suicidal. In the notes, Aaron was called "volatile and possibly violent," while they referred to Angelia as "calm" and "telling the truth." Grant and Angelia maintained that it was Aaron who tried to kill her with a hairdryer cord. Aaron later complained that he wished her treatment at the psychiatric hospital had been "more helpful." Upon her release, she obtained a restraining order against her husband. The very next day, Aaron obtained one against *her*, and then a Judge Philip Smith prohibited Angelia from taking possession of their children. Why? In June 2013, Aaron requested a continuance of the order and in July, Judge Smith ruled in his favor, claiming he didn't believe Angelia hadn't tried to commit suicide. His ruling meant that Angelia was allowed *no time* with Grant and Gracie until she received another psychological evaluation. According to the October psychiatric report, "There is no data to indicate that Dr. Solomon is at risk of harming her children. The collateral sources, her self-report, and the report of her husband contain no information that suggests she might be abusive, neglectful, or harmful to the children." So, what did the court do? Granted Angelia just two hours of supervised visits each week. Aaron and Angela were officially divorced in 2014, and despite the fact that medical professionals *didn't* corroborate Aaron's story that Angelia was suicidal, and in fact determined that she had PTSD from an abusive marriage, Judge Smith gave Aaron custody of both children in June 2014. For years, Angelia alleged that Aaron was sexually abusing Gracie and mistreating Grant. At one point, the children said their father told them Angelia was dead so they'd quit asking to see her. In 2018, the siblings ran away together from their father's house to live with their mother since the courts kept ignoring their requests to be with her. That September, two classmates attended

family court with Grant and were hoping to testify. According to the kids, the presiding judge told Grant that they wouldn't have to go back to Aaron's.



Grant in 2018 with a classmate in court, excited to think he and his sister wouldn't be forced to go with Aaron Solomon | Instagram

At the time of the ruling, however, the classmates were not allowed to speak and the judge told Grant that **he was a big boy who could defend himself against his father**, and Aaron was awarded custody once again. Grant and Gracie's counselor wrote that the kids were making progress working through their traumas but still very fearful of Aaron in November 2018. Despite such notes, Judge Deanna Johnson ruled in January 2019 that Angelia's claims of abuse were without merit. She barred her from taking further civil actions against Aaron for 6 years (when Gracie would be 18). The *Freedom For Gracie* Instagram account has videos and audio of Gracie in tears, refusing to go with Aaron. In the clips, Aaron frequently acts as if his hands are tied and he can't let any of them "break the rules." In a Publix parking lot, Aaron suggests to Gracie that her disobedience (by refusing to go with him) could get him or Angelia put in jail. At the time of Grant's death, he lived with their mother instead. There are also recent court documents, including a June 4 affidavit written by Gracie. About a week after her video testimony was uploaded to YouTube, Aaron filed a lawsuit against his ex-wife Angelia and more than 20 other people for a "smear campaign against Mr. Solomon through social media." The affidavit is more explicit in describing the night Gracie's father allegedly raped her in a hotel room. She was just 11 at the time. Gracie attends Grace Christian Academy, which is effectively run by Grace Chapel in Franklin, Tennessee. You might have heard a bit about Grace Chapel over the years. Tennessee Governor Bill Lee is a member, along with Senator Jack Johnson, and of course, Aaron Solomon. The Senator's wife is none other than Judge Deanna Johnson, the one who ruled that Angelia cannot bring a civil action against Aaron until Gracie turns 18. The founding pastor of Grace Chapel, Steve Berger once gave a sermon called "Biblical Qualifications for Bringing an Accusation Against Someone." In it, he said there must be multiple witnesses (including other people, fingerprints, or DNA evidence) for an accusation to be valid. From the pulpit, he concluded that Dr. Ford's testimony against Brett Kavanaugh was therefore *not* a biblical accusation. Grace Chapel has since deleted that sermon.



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Biblical Qualifications for Bringing an Ac X

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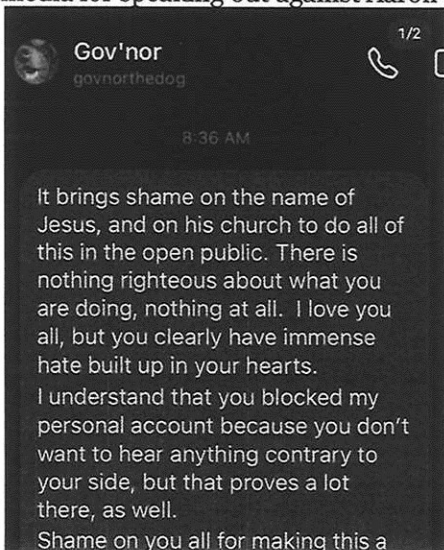


Kavanaugh // Biblical Qualifications for Bringing...

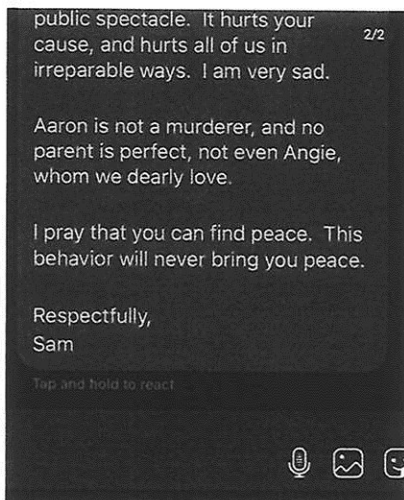
Vimeo Grace Chapel Sep 30 2018

### Search results for Steve Berger's infamous Brett Kavanaugh sermon

Berger went on to say that even if Kavanaugh did rape someone, he's still qualified for the Supreme Court, because "Moses was a murderer before he was the world's greatest lawgiver," and "King David was an adulterer and murderer as a King," and "Saul of Tarsus was a murderer before he became Paul the Apostle, the greatest Apostle in the history of the church." (Notably, Moses and David and Paul all actually sought forgiveness, something Kavanaugh has not done.) — "A Look at Bill Lee's Uber-Conservative Home Church" by Cari Wade Gervin Earlier this year, Berger stepped down from his role as senior pastor and denied that it had anything to do with the widespread criticism he received for attending the January 6 Capitol riot. From his hotel room in DC, Berger wrongly announced on Facebook Live that members of "Antifa" had stormed the Capitol, pretending to be Trump supporters. His video was viewed about 60K times within just 24 hours. Among his false claims about rioters, Berger said: "For a fact, they've already identified some Antifa members from other events who were still wearing the same kind of crazy clothes and costumes and have the same tattoos. They were inside the Capitol building waving Trump flags, but they have a history of being Antifa members. So I'm not here to say that the trouble makers were all and only Antifa members, but I can tell you this: they were there, they were present and they were identified." Berger later recanted his statements and deleted the video. While reading about Gracie, Grant, and Angelia, I can't help but notice how much corruption intersects with their stories. Aaron Solomon's attorney, Scott Parsley, the man Gracie says tried to intimidate her in court, was suspended for tricking clients into transferring their property to him. One of Aaron's best friends, Sam Johnson, made headlines earlier this spring when he was caught on video publicly ridiculing a gay boy in a prom dress. As a result of the viral video, Johnson was fired from his CEO position at telehealth company Visuwell. Since then, Sam's been known to chastise others on social media for speaking out against Aaron on Gracie's behalf. From his *dog's* social media accounts.



Ex 3



Messages posted to Instagram from Sam Johnson

Also, you can see Sam in a video clip on the *Freedom For Gracie* Instagram account when Aaron met with Angelia, eight days after Grant's death to show her what happened. Angelia took the video and we can hear Sam asking Aaron, "Are you okay with this being recorded?" Aaron says yes, but immediately appears to lose his train of thought, and when Angelia asks if he made it down there to the truck himself, he says no. "Nobody touched him or the truck," Aaron replies. Not the "three guys" he mentioned in his 911 call? And Aaron didn't go down there himself to see his son, to talk to him, to try to help or comfort him as he waited for help to arrive? If he didn't even go down there, why did he assume Grant was trapped on that 911 call? Per the police report, there was no weight bearing down on Grant. In the same clip, Aaron claims the police officers *wouldn't let him* go down there to see his son, saying he thinks they were just trying to protect him from seeing anything until Grant was removed from the ditch. They weren't interested in him as a possible suspect? About two weeks after Gracie's video testimony was made public, she was taken from her mother's home and placed with DCS. While the folks behind *Freedom For Gracie* say she's grateful to have been placed with a family that knows and understands her situation, all Gracie wants is to go home to her mother and receive protection from her father, whom she calls Aaron and a monster. Gracie has been clear—she wants nothing more to do with Aaron Solomon and she fears for her life as long as the adults sworn to protect her allow him contact or custody. To date, Aaron Solomon has *not* been charged with any wrongdoing and he denies all accusations against him. Supporters of Aaron's periodically pop up on social media to claim that Gracie and her supporters are lying, or that they're handling all of this in a supposedly un-Christian manner.


 jeffletcher6 Why do you delete any opposing comments? Just because something is posted on social media doesn't make it true! Throwing out wild accusations against an individual, doesn't make it so. People jumping onboard a train of lies, doesn't mean that train is going in the right direction! I pray that all who lie will pay the price for trying to destroy an individual! You should be ashamed! But it's blatantly obvious that you only have one agenda and may God help you before it's too late!!

11h Reply

140 replies

 shashley82 @jeffletcher6 so you're calling a 14YO girl a liar when she's insisted for years that her father molested her? Sounds like you're the one with the agenda.

18m 1 like Reply

 jeffletcher6 @shashley82 damn skippy i am! What part of it did you not understand?

41s Reply

 shashley82 @jeffletcher6 you're a sick man.

1s Reply

## ← Comments

... lies, doesn't mean that train is going in the right direction! I pray that all who lie will pay the price for trying to destroy an individual! You should be ashamed! But it's blatantly obvious that you only have one agenda and may God help you before it's too late!!

11h Reply


140 replies

 shashley82 @jeffletcher6 so you're calling a 14YO girl a liar when she's insisted for years that her father molested her? Sounds like you're the one with the agenda.


22m 1 like Reply

 shashley82 @jeffletcher6 you're a sick man.

11h Reply

 jeffletcher6 @shashley82 and you're calling someone a monster that you don't personally know? See how that works?

27m Reply

 jeffletcher6 @shashley82 need to have that big leg checked out! Might be far cells!

11m Reply

One of the men defending Aaron on social media. I guess it was godly for him to check out my Instagram and poke fun at my lipedema?

Meanwhile, leadership at Grace Chapel claims that Christians don't sue each other. (Reminder: Aaron, a member of their church is currently suing more than 20 people including a GCA classmate Anna Smith for giving video testimony about her talks with Grant, Gracie, and school counselors.) Other students and former church members are now coming out to say there are so many problems within Grace Chapel and Grace Christian Academy. Those of us who are following *Freedom For Gracie* still have lots of questions. Why would Aaron arrange burial plots for himself, Gracie, and ex-wife Angelia just last year, after years of bitter fighting? Where is Grant's truck and why didn't Aaron give it to Angelia and Gracie as he indicated he would? Why have the courts, Aaron, and his attorney insisted that Angelia is an unfit parent when multiple professionals say otherwise? And why would a member of the church even be allowed to preside over a church family's custody battle? This fight has been going on for at least 8 years, with the alleged abuse happening for even longer. Although some folks might wonder how Angelia could have stayed in the marriage for so long if Aaron's behavior was really that bizarre and abusive, they seem to be missing the reality that spiritual abuse frequently shushes and scolds victims who try to speak out. Furthermore, such communities tend to protect their own and gaslight victims. Perhaps that's why Angelia says it was church members who tried to convince her that Grant's body was covered with injuries the hospital never recorded. Injuries she never saw when she got to the hospital and saw her son's body. Some people can watch the videos of Gracie's palpable discomfort around Aaron and chalk it up to tween-age rebellion, or blame Angelia by calling this a case of parental alienation. Yet, thanks to Tennessee courts, Angelia had little to no access to Grant or Gracie between 2013 and 2018. Even when a judge increased her visitation rights from 2 to 6 hours a week, how could she have brainwashed the kids against their father when they were under Aaron's care every day? At one point, Aaron prevented the kids from seeing their mother for one-and-a-half years. Their counselor would later write that the kids truly felt they'd been kidnapped by their father when they were just 10 and 6 years old. What kind of judge, and what kind of father doesn't care about the damage such actions do to a family? Those of you who are familiar with my work will understand why this particular case is so close to my heart and why I'm so angry that Gracie's story has been dismissed for so long. As a survivor of evangelical abuse *and* a mother who lives less than three hours away from Grace Chapel, I have a pretty good feel for the garbage Gracie and her mother are up against. The evangelical community down here in Tennessee is a different animal, unlike anything I've witnessed in Christian churches up north. When I read that Angelia said her own father declared Aaron could do whatever he wants — even hit Angelia — I was unsurprised. As I've said many times, scandals, secrets, and abuse crop up whenever we give such men unbridled power. And why do they get so much power? Because

they *claim* to love Jesus? These are *serious* allegations that should be covered all over the media right now. Instead, it appears people with influence are afraid to touch it. A church should not be a refuge for abusers nor complicit in their crimes. Seeing how Grace Christian Academy and Grace Chapel limits social media comments and routinely scrubs their timelines of incriminating sermons, statements, or videos is downright predictable—especially when its membership boasts governors, senators, and wealthy CEOs. It doesn't have to be this way, though. The folks at *Freedom For Gracie* are asking people to share (and keep sharing) Gracie's story on social media. You can use the hashtags #FreedomForGracie and #JusticeForGrant. People can also contact the TBI and ask them to investigate the circumstances surrounding Grant Solomon's death. They can contact the DCS to ask how *they* have even helped Gracie and how they helped Grant. Parents, teachers, students, and any current or former members of Grace Chapel or GCA are encouraged to speak out about any similar or related encounters they have had in the community. There is also information about supporting Gracie and Angelia with their legal fees. People *have* begun to step forward to say they were worried about Grace or Grant with their father, but they either second-guessed themselves or assumed that somebody else who knew more would be able to do something. Some of those folks now wonder if they could have helped save Grant. While we may never know the answer to that question, we can do something about Gracie's story today. We can listen, we can believe her, and we can speak up for survivors about abuse cover-ups in these evangelical and elite communities with a habit of harboring abusive men.