

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED

10/13/2021

Clerk of the  
Appellate Courts

STATE OF TENNESSEE v. WILLIE AUSTIN DAVIS

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

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No. M2019-01852-SC-R11-CO

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ORDER

The defendant, Willie Austin Davis, proceeding *pro se*, filed a motion requesting the members of the Tennessee Supreme Court to recuse themselves from consideration of his Rule 11 application in the above-styled matter.<sup>1</sup> The defendant asserts, among other things, that the Court cannot be fair and impartial because of the Court's constitutional obligation to appoint the Attorney General. The defendant is also aggrieved by the Court's previous denial of his Rule 11 applications filed in other cases.

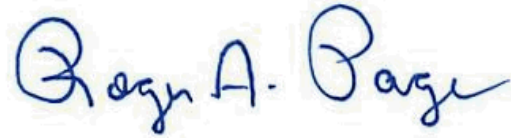
Tennessee Supreme Court Rule 10, Canon 1.2 provides: "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety." Canon 2.11(A) provides further, in pertinent part: "[a] judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned. . . ."

Each Justice having reviewed the assertions contained in the defendant's motion and accompanying affidavit, the Court concludes the defendant has failed to establish that the Court's exercise of its constitutional obligation to appoint the Attorney General generally, or its appointment of Attorney General Herbert H. Slatery III specifically, merits recusal of the members of the Court, individually or collectively. Likewise, recusal is not warranted simply because the Court has previously ruled adversely to the defendant in other matters. *See In re Cameron*, 151 S.W. 64, 74 (Tenn. 1912).

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<sup>1</sup> The motion also sought recusal of Justice Cornelia A. Clark. Sadly, our colleague and friend, Justice Clark, passed away on September 24, 2021.

It is hereby ORDERED that the defendant's motion is DENIED.

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Roger A. Page, Chief Justice

Handwritten signature of Sharon D. Lee in black ink.

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Sharon G. Lee, Justice

Handwritten signature of Jeffrey S. Bivins in blue ink.

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Jeffrey S. Bivins, Justice

Handwritten signature of Holly Kirby in black ink.

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Holly Kirby, Justice