


Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office
4/25/26

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INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800-448-7970 or 615-741-2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) Review the separate instruction sheet prior to completing this document. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Unicoi County General Sessions Judge, exercising Probate Jurisdiction, as well as Juvenile Jurisdiction. September 2022 – Present.

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

I was licensed to practice law in Tennessee in 2007. My Tennessee Board of Professional Responsibility number is 025966.

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

State of Tennessee – May 3, 2007 – BPR#025966 – My license is active.

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

I have never been denied admission to, suspended or placed on inactive status by the Bar of any state.

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

Unicoi County General Sessions Judge exercising probate, as well as juvenile jurisdiction, September 2022 – Present. Unicoi County Courthouse, Erwin, Tennessee.

Partner at Manuel, Donnelly, & Manuel, May 2007 – September 2022. Erwin, Tennessee.

Machinist (CNC Operator); Duncan Mechanical, Inc., 1998-2003. Erwin, Tennessee.

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

I currently have the distinct privilege and honor of serving as the Unicoi County General Sessions Judge, exercising Probate, as well as Juvenile Jurisdiction. As to percentages, looking strictly at case volume, criminal matters make up approximately seventy (70%) percent of my caseload totaling seven thousand seven hundred forty-three (7,743) felony and misdemeanor cases, with civil matters (including Orders of Protection, Detainer Warrants, and Collections) making up approximately eighteen (18%) percent, totaling one thousand nine hundred fifty (1,950) cases, juvenile matters making up seven (7%) percent, totaling eight hundred three (803) cases, and probate matters making up the remaining five (5%) percent, totaling three hundred forty-four (344) cases. I have presided over ten thousand eight hundred forty (10,840) matters in Unicoi County General Sessions Court. I also sit by interchange in Carter County General Sessions Court, monthly, hearing approximately ten (10) cases per month.

7. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters.

Prior to being elected to the bench in September of 2022, I was a partner in the small boutique firm of Manuel, Donnelly, and Manuel, which served the legal needs of the First Judicial District. I primarily practiced criminal defense, within Municipal Courts, General Sessions Courts, and Criminal Courts within said district; however, I have also filed multiple appeals with the Court of Criminal Appeals. In addition, my practice included estate planning, domestic matters, civil litigation, probate matters, collection matters, traffic violations, as well as juvenile matters. I also have extensive experience in the areas of Social Security Disability/SSI, and real estate transactions. In addition, I served as the Delinquent Tax Attorney for both Unicoi County and the Town of Erwin, from 2011 through 2022. Through my practice, I have served as an appointed attorney in various courts, defending those who lacked the financial means to retain their own counsel. I am an experienced trial attorney and litigator in both civil and criminal courts, having been involved in multiple jury trials, as well as appeals. I have represented individuals charged with minor traffic infractions to rape and manslaughter, and every type of charge in between.

I have extensive experience on both sides of the bench in the areas of juvenile, probate, as well as the area of civil litigation. I have represented parents, grandparents, minors, and even served as Conservator for multiple individuals, including disabled veterans, who lacked the ability to manage their own financial or medical affairs.

Although I am a licensed attorney, pursuant Tennessee Supreme Court Rule 10 (Code of Judicial Conduct), as a judge, I am prohibited from practicing law.

8. Describe any matters of special note involving your practice in trial courts, appellate courts, and administrative bodies.

Throughout my career, numerous matters come to mind. There is one matter of special note involving appointment to represent an individual charged with Rape and Theft. Ultimately, after extensive investigation and discovery, multiple hearings, and failed negotiations with the District Attorney's Office, a jury trial was required. While the Defendant was ultimately convicted, with the trial court imposing a total effective sentence of fifteen years; the conviction as largely based upon a "single photo identification" and questionable in-court identification. The Chief of the Erwin Police Department testified he was in the process of printing off photographs for a photo lineup, when there was a knock on the door of the police station. The Chief testified he answered the door holding a photograph of the Defendant without realizing that the individual at the door was the victim in the case until she asked to speak to a particular detective. According to the Chief, the woman saw the Defendant's picture and said, "Is that him? That's him." The Chief responded, "Is it?" The Chief testified the woman responded, "Yes." In the end, the jury was convinced and found the Defendant guilty of Rape and Theft.

On appeal, I argued that the single-photo pretrial identification was conducted in such an impermissibly suggestive manner that it created a substantial likelihood of irreparable misidentification. While the judgment of the trial court was affirmed, this matter was noteworthy. This matter required me to prioritize the representation and needs of my client over my own personal views/beliefs. I can honestly say that the Defendant was entitled to and received my best efforts within the constraints of the law and code of ethics.

9. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

There are four (4) areas of experience I would bring to the attention of the Commission I am particularly proud of. First, I would point out as a member of the judiciary, one of the roles we assume is that of a manager. While judges cannot concern themselves with jail populations, or overcrowding, and certainly cannot allow such situations to affect their rulings; a judge would be remiss to completely ignore such information. Prior to being elected, the Unicoi County Detention Center was facing a significant overcrowding problem. Overcrowding leads to numerous issues and concerns, including risks to officer and inmate safety due to increased tension and violence, burnout of correctional officers due to high stress, health risks, and strains on rehabilitation programs. Through working with the Unicoi County Sheriff's Department and the Unicoi County Commission, we successfully implemented a GPS and Alcohol Monitoring Program in Unicoi County, Tennessee. This program has proven wildly successful, with almost no downsides. The jail overcrowding has been reduced, public safety is maintained, eligible defendants may continue employment, defendants have access to significantly more rehabilitation options, and we don't risk institutionalizing non-violent individuals. In addition to the benefits identified above, the program, which was implemented on February 1, 2025, has saved Unicoi County approximately \$287,273.66 as of March 31, 2026. It also reduces the costs associated with incarceration, meaning that upon release, an individual is not overwhelmed with costs, reducing the likelihood of recidivism.

The second area of experience I would like to bring to the attention of the Commission is my

service to the community as a member of the judiciary. My experience, defending individuals in the face of immense opposition and disapproval, although I didn't realize it at the time, prepared me to assume responsibilities of the bench. Upon The Seal of The Tennessee Judiciary is the Latin phrase "*Fiat iustitia ruat caelum,*" which translates to "Let justice be done though the heavens may fall." I can't imagine a more appropriate phrase to describe the immense duties and responsibilities that fall on members of the judiciary. We are charged with faithfully and impartially discharging all the duties of a judge. This requires an individual of immense commitment and fortitude, to be able to make what may be an unpopular ruling by holding an individual accountable for their actions; and yet at the same time, be open to the possibility of reconsidering one's own position, after consideration of mitigating factors.

The third area of experience I would like to bring to the attention of the Commission is my commitment to public service. For approximately six (6) months during the early part of 2024, during the investigation (and ultimately the suspension/disbarment) of Former Judge Perry Stout, I, along with approximately sixteen (16) of my fellow colleagues voluntarily answered the call to manage the Johnson County General Sessions Court docket, including criminal, juvenile, civil, and traffic matters. This was testament to the commitment of the members of the judiciary. It is this commitment to public service that is essential to anyone being considered for this position, to not only ensure public confidence, but also uphold the integrity of the legal system.

The fourth area I am extremely proud of is serving as appointed counsel for hundreds of indigent defendants who were financially unable to hire counsel. As mentioned above, I was routinely appointed to represent individuals charged with extremely heinous and atrocious crimes, who had no one else to stand up and be their voice in the face of immense opposition and public outcry. That type of experience forces attorneys, but especially defense attorneys, to be extremely comfortable standing firm in their position, and not bending to outside pressures or influence, traits that will serve our next Criminal Court Judge well.

10. List and describe all prior occasions on which you have submitted an application for any state or federal judicial position.

I have never submitted an application for any state or federal judicial position.

EDUCATION

11. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

Doctor of Jurisprudence; Thurgood Marshall School of Law; (Houston, Texas); 2003-2006

Bachelor of Science, Industrial Engineering; East Tennessee State University; (Johnson City, Tennessee); 1999- 2003

PERSONAL INFORMATION

12. State your date of birth.

My date of birth is [REDACTED] 1981.

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

Apart from three (3) years while attending law school in Houston, Texas, I have lived in the State of Tennessee my entire life.

14. How long have you lived continuously in the county where you are now living?

I have lived in Unicoi County, Tennessee, since returning from Houston, Texas (while attending law school) in 2006. Therefore, I have lived in Unicoi County, Tennessee for over 20 years. While I lived in Washington County, Tennessee, from birth until moving to Houston, Texas for law school, I was enrolled in the Unicoi County School System from Kindergarten until graduating Unicoi County High School with honors in 1999.

15. State the county in which you are registered to vote.

I am registered to vote in Unicoi County, Tennessee.

16. Describe your military service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

Not applicable.

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

No, I have never been charged with or convicted of any violation of any law, regulation, or ordinance, excluding minor traffic offenses.

18. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

No.

19. Please identify the number of formal complaints you have responded to that were filed against you with any supervisory authority, including but not limited to a court, a board of professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

I have been required to respond to two (2) formal Complaints filed against me. The first Complaint was filed against me in my capacity as an attorney, by the adult son of an elderly client. The Complainant asked me to prepare several documents pertaining to the estate planning of his elderly mother, including preparing several deeds, which would have transferred several pieces of real estate to him from his mother, utilizing a Power of Attorney he had obtained. It was my belief, based upon years of experience working with his mother, and how she operated, that she may have been the victim of elderly abuse. Over the course of several weeks, I attempted to contact his mother (my longtime client) unsuccessfully. While not purposefully delaying preparing the documents, I was uncomfortable proceeding without the knowledge and approval of my longtime client (his mother). The son/complainant filed a complaint with the Tennessee Board of Professional Responsibility (TBPR). In the end, the TBPR concluded I should have been more clear/direct with the adult son, by identifying who my client was and to whom I owed a fiduciary responsibility. I received a private reprimand. While I accepted the determination of the TBPR, it should be noted that approximately six (6) months after the matter was resolved, the mother came into my office asking that I prepare several documents pertaining to estate planning. Upon politely declining to accept the work, the mother inquired my reason for doing so, at which time it became abundantly obvious she did not have any knowledge of her son's attempt to have me change ownership of her property. In addition, she indicated that the very reason for her visit was her concern she had been the victim of elder abuse, and she desired to disinherit her adult son (the Complainant). Despite receiving a private reprimand, I ultimately safeguarded the assets of an elderly individual and prevented her from becoming a victim of elder abuse.

The second Complaint was filed against me in my judicial capacity. The Complainant was the father of a juvenile, charged with Resisting Arrest, Failure to Make Immediate Notice of an Accident (with Property Damage) and Unlawful operation of an off-road vehicle on a highway. While the phrase was never used or stated in court, based upon my observations, the father exhibited many of the same characteristics I have experienced while dealing with Sovereign Citizens.

After multiple hearings and three (3) days of trial, I concluded the adjudicatory/dispositional hearing and made a finding of guilt on all three (3) charges. The Court ordered the minor to be placed on juvenile probation for ninety (90) days and complete twenty-five (25) hours of community service with a non-profit agency. In addition, the minor was required to follow any

treatment or rehabilitation options recommended by his probation officer and refrain from any new delinquency, truancy, and/or unruly petitions. This was entered under diversion, which allowed for the possibility of dismissal/expungement after the expiration of a six (6) month period, provided the juvenile complied.

The father/complainant filed a Notice to Appeal; however, he never took any further action to perfect the appeal. Apparently, he was under the impression I was utilizing my judicial authority to delay/deny his appeal. After approximately twenty (20) months had passed, with no action having been taken on his appeal, he filed a complaint with the Tennessee Board of Judicial Conduct (TBJC). The Complainant never took any of the necessary steps required to “perfect” his appeal, the result of which was that the time for him to appeal expired, and therefore the Complainant’s unperfected appeal became null/moot through the Complainant’s inaction. After receiving my response, the TBJC dismissed the complaint against me.

20. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No.

21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

No.

22. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

Yes. I was the Respondent in a divorce proceeding, which was filed by my ex-wife, in Unicoi County Circuit Court. The matter was styled as Stana Marie Donnelly vs. Robert Mitchell Manuel, Case #8819 and was filed on June 12, 2025. This was an uncontested, irreconcilable differences “no-fault” divorce, without children, with a Marital Dissolution Agreement (MDA) having been simultaneously filed, which divided all marital assets by agreement. The Marital Dissolution Agreement (MDA) was approved and confirmed by the Court, with a Final Decree being entered on the same day on August 18, 2025.

The only other matter in which I was a party to a proceeding was Jerry Michael Puckett, et al.

vs. Unicoi County, Tennessee, et al.; which was filed in United States District Court (Eastern District of Tennessee) at Greeneville, Case #2:23-cv-00123, and was filed on September 7, 2023 with an Amended Complaint filed on December 26, 2023, a Second Amended Complaint filed on February 23, 2024, and a Third Amended Complaint filed on October 30, 2024. I was named as a defendant in my judicial capacity. The other named defendants included: Unicoi County, Tennessee; Town of Erwin, Tennessee; Sheriff Michael Hensley (Sheriff of Unicoi County, Tennessee); Chief Deputy Jonathan “Frank” Rogers; Major Toney Buchanan (Erwin Police Department); Ron Arold (former Unicoi County Sheriff’s Department); Captain Chad Ricker (Unicoi County Sheriff’s Department), Anthony Buckner (Washington County Sheriff’s Department); Claude Hensley; Brian Tressler; Robert Bullington; and John and Jane Does #1-10.

I was named as one of approximately twenty-two defendants. The matter is currently still pending; however, the matter was dismissed as to me by Order dated September 26, 2025. The matter involved a family with a long history of altercations with law enforcement and the court system. The basis of the lawsuit was that the Plaintiffs were alleging the Defendants conspired to weaponize the law against their family to force their family out of Unicoi County, due to an alleged disability.

23. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

Classical Conversations Mock Trial: Judge 2026

Unicoi County Relay for Life: Planning Committee Member 2026

East Tennessee Republican Club: Member 2025 through present

Aircraft Owners and Pilots Association (AOPA): Member 2024 - 2025

National Rifle Association: Member 2021 through 2024

Unicoi County Republican Club: Member 2021 through present

Unicoi Foundation for Healthcare, Inc.: Treasurer from 2016 through present.

Unicoi County Rotary Club: Former President (2009-2010); Member 2010 through 2022

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.
- a. If so, list such organizations and describe the basis of the membership limitation.
 - b. If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

No.

ACHIEVEMENTS

25. 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. List memberships and responsibilities on any committee of professional associations which you consider significant.

Tennessee General Sessions Judges Conference: Member since September 2022

Tennessee Council on Juvenile and Family Court Judges: Member since September 2022

Tennessee Bar Association: Member 2021 to 2023

Unicoi County Bar Association: Member since May 2007; Treasurer 2018 - 2022

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

None.

27. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

Unicoi County General Sessions Judge (with Probate and Juvenile Jurisdiction): September 1, 2022 - Present. This is an elected position.

ESSAYS/PERSONAL STATEMENTS

28. What are your reasons for seeking this position? *(150 words or less)*

While I enjoy my current position and the ability to sit by interchange, the criminal court judge position will allow me to serve in a broader capacity, meeting the needs of the entire First Judicial District. This is an incredible opportunity, and I believe I can make a positive impact on those seeking justice. I strive to promote the four cardinal virtues of fortitude, prudence, temperance, and justice in the courtroom, continuing the example set by current and previous criminal court judges. My goal is every individual leaving the courtroom feels confident in knowing they were heard. I am also drawn to the intellectual challenges associated with the complex legal reasoning and critical thinking related to criminal matters. I know this position will be deeply rewarding, while also allowing me to meet the needs of the State of Tennessee.

29. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*

This judgeship is one of two Criminal Court Judges for the First Judicial District of Tennessee encompassing the counties of Carter, Johnson, Unicoi, and Washington. This court hears all types of criminal matters from Class C misdemeanors to capital murder cases. The geographic area is extensive, and I have heard criminal matters in each of the counties comprising the First Judicial District.

Despite being managed efficiently, criminal court dockets throughout the state have grown significantly, putting additional stress on limited resources. Having served as the Unicoi County General Sessions Judge for almost four years, where most criminal cases originate, I am uniquely qualified and proven capable of managing large dockets, while at the same time protecting the rights of all involved. This experience, combined with my fifteen years as a defense attorney, has provided me with the skills, temperament, and knowledge necessary to maintain the highest levels of judicial excellence.

30. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. *(250 words or less)*

I have always upheld the law and would continue to do so, regardless of whether I personally agree with or disagree with the substance of said law. As a litigator and criminal defense attorney, I faced this issue frequently. I routinely faced situations in which my personal views/beliefs did not align with sentencing guidelines; however, despite my personal beliefs regarding any sentence associated with a specific crime, the law must be abided by.

As an attorney, clients are entitled to an attorney's best efforts within the constraints of the law and ethical code, despite any personal bias or beliefs one has regarding the client or the alleged violation. It was not unusual for me to have to set moral considerations aside to adequately

represent a client.

As a member of the judiciary, our place is not to create law, but to apply the law, without bias or prejudice, in an impartial and fair manner, forming conclusions only after all evidence is presented and arguments are heard. Those conclusions/findings must be based upon facts and applicable law, rather than personal inclinations or external pressures. It is often stated that litigants are intitled to the “cold neutrality of an impartial judge,” and I completely agree.

REFERENCES

31. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A. Jim Buchanan
Senior Account Executive and Manager – Bristol Broadcasting (WXBQ-FM)

B. William “Bill” James Gaines
Chairman of Unicoi County Republican Party
Unicoi County Tax Assessor (1975–2008)

C. Diane Hollifield Cupp
Retired Court Director for Johnson City Juvenile Court

D. Russell Jonathan Kloosterman
Attorney at Law

E. Stacy Wigand
Tennessee State Trooper

AFFIRMATION CONCERNING APPLICATION

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 nomination to the Governor for the office of Judge of the Criminal Court (First Judicial District) of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: April 25, 2026.

Robert Mitchell Manuel

Signature