

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

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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.

I am an Assistant District Attorney for the 20th Judicial District.

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

I was licensed in 2000. My Board of Professional Responsibility number is 021030.

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.

Tennessee

BPR #021030

I was licensed on October 24, 2000, and 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).

No.

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).

2014 - present Office of Glenn R. Funk, District Attorney General, 20th Judicial District, Nashville, Tennessee

- Assistant District Attorney
- Prosecute major felony drug cases, homicides resulting from distribution of fentanyl, fraud, money laundering, and handle forfeiture proceedings

2007 - 2014 May & Ryan, PLC, Nashville, Tennessee

- Associate Attorney

	<ul style="list-style-type: none"> • Criminal defense, appellate practice • Practiced in Davidson, Cheatham, Giles, Lewis, Lawrence, Marshall, Maury, Montgomery, Robertson, Rutherford, Sumner, Williamson, and Wilson Counties
2006 – 2007	<p>Willis & Knight, PLC, Nashville, Tennessee</p> <ul style="list-style-type: none"> • Associate Attorney • Criminal defense
2005 – 2006	<p>Solo practitioner</p> <ul style="list-style-type: none"> • Criminal defense, family law
2003 – 2005	<p>Bill Easterly & Associates, PC, Nashville, Tennessee</p> <ul style="list-style-type: none"> • Associate Attorney • Family law, criminal defense
2001 – 2003	<p>Office of Victor S. (Torry) Johnson, District Attorney General, 20th Judicial District, Nashville, Tennessee</p> <ul style="list-style-type: none"> • Assistant District Attorney • Prosecuted crimes including murder, rape, robbery, burglary, theft, assault, illegal drug sales and possession, and DUI
1999 – 2001	<p>Office of Judge Steve Dozier, Division I, Davidson County Criminal Court, Nashville, Tennessee</p> <ul style="list-style-type: none"> • Judicial Law Clerk • Performed legal research and prepared drafts of the court's orders
1998	<p>Volunteer law clerk for Judge Dozier</p> <ul style="list-style-type: none"> • Performed legal research and prepared drafts of the court's orders
1998 – 1999	<p>Finch & McBroom, Nashville, Tennessee</p> <ul style="list-style-type: none"> • Law clerk • Performed legal research • Prepared drafts of complaints, answers, interrogatories, letters, and other civil law documents
1985 – 1998	<p>Hewgley's Music Store, Columbia Tennessee / Independent Contractor</p> <ul style="list-style-type: none"> • Retail sales – sold musical instruments and musical equipment • Guitar instructor • Performing musician

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.

As an Assistant District Attorney, my entire practice is devoted to criminal law and litigating any matter that falls under the jurisdiction of the District Attorney General for the 20th Judicial District.

Assistant District Attorney – Team Leader

On June 1, 2024, I was assigned as the team leader over three separate units in District Attorney's Office: Special Operations, Fraud & Economic Crimes, and the Vulnerable Adult Protective Investigative Team (VAPIT). In addition to being the team leader of these units, I am assigned as the liaison to the Metro Police Madison Precinct, liaison to the Tennessee Highway Patrol security detail at the Tennessee State Capitol, and liaison to the Metro Airport Police Department.

Special Operations Unit

Much of my current caseload is with the Special Operations Unit. This unit is responsible for prosecuting the major felony drug offenses that occur within Davidson County. These cases are primarily Class A or B felonies and involve the trafficking of large amounts of fentanyl, heroin, methamphetamine, cocaine, marijuana, and other narcotics. This unit also prosecutes homicides resulting from the unlawful delivery of fentanyl.

To prosecute these cases, I regularly coordinate with multiple law enforcement agencies. These agencies include the Metro Police Specialized Investigations Division, the Tennessee Bureau of Investigation, the Metro Airport Police, the Tennessee Highway Patrol, and other out-of-county Judicial Task Force detectives whose investigations cross over into Davidson County. Many of these investigations also involve coordination with and contributions from federal agencies including the Drug Enforcement Administration, the Federal Bureau of Investigation, and the Internal Revenue Service.

The unit also follows criminal cases investigated and initiated by the Metro Police Vice Unit. These cases involve the targeting of illegal gambling and prostitution operations occurring within Davidson County. In addition to following these cases throughout the court system, I also represent the State in forfeiture hearings involving the proceeds and property seized as a result of the Vice Unit's investigations.

The Special Operations Unit is also responsible for making all charging decisions and drafting all indictments and direct presentments for these cases. We also handle all preliminary hearings where the cases originate by warrant. I make all case assignments for the unit.

Fraud & Economic Crimes

Cases prosecuted by the Fraud & Economic Crimes Unit also constitute a portion of my caseload. However, the line between this unit and the Special Operations Unit is often blurred when it comes to defendants charged with conspiracy and money laundering. Otherwise, these

cases typically involve fraud or embezzlement resulting in a loss of over \$60,000. I review all the cases for this unit and make all case assignments for this unit.

This unit also coordinates with the Metro Police Specialized Investigations Division in initiating nuisance proceedings that typically result in the padlocking of businesses that are operating as a public nuisance. We handle all hearings related to these cases.

Vulnerable Adult Protective Investigative Team

This unit prosecutes cases where an elderly (70 & over) or a vulnerable adult (adult with intellectual disability or physical dysfunction) is a victim of abuse, neglect, or financial exploitation. My present role in this unit is to provide advice and support to the Assistant District Attorney who reviews, indicts, and follows these cases through the system.

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.

Overview

I have practiced law for twenty-five years. I have spent thirteen years as a prosecutor, eleven years practicing criminal defense, and two years as judicial law clerk for Davidson County Criminal Court Judge Steve Dozier (I was not yet licensed my first year as law clerk).

While my entire career has been based in Davidson County, I traveled to numerous counties and courts throughout middle Tennessee during my time in private practice.

Judicial Law Clerk

As a judicial law clerk, not only did I have the privilege to observe one of the best trial judges in the state operate daily in the courtroom for over two years, I was also able to get a “behind the scenes” view of the job and role of a criminal court trial judge. While I did the normal things that a law clerk does in that capacity, I learned greatly from the many discussions I had with Judge Dozier about legal issues that would arise on a weekly basis.

A byproduct of serving as law clerk was that I was able to observe many experienced and excellent attorneys who practiced in that courtroom on a weekly basis. I probably observed at least thirty to forty trials over the two-year period while I was employed there. I took note of effective cross-examinations, opening statements, closing arguments, and how to properly introduce evidence. Another byproduct of serving as clerk, perhaps even more important, was learning *what not to do* in criminal court courtroom.

Assistant District Attorney

After serving as law clerk, I was hired as an Assistant District Attorney for the 20th Judicial District by the Honorable Victor S. (Torry) Johnson, III. I was first assigned to general sessions

court where I prosecuted misdemeanor cases and conducted preliminary hearings when necessary. I also rotated in the staffing of the Davidson County Mental Health Court dockets. Another rotation involved staffing the warrant screening office where I routinely met with victims and made determinations about whether to recommend the issuance of a misdemeanor warrant or whether to refer the case to mediation.

After a few months in general sessions, I was assigned to the Division I Criminal Court team where Judge Dozier presided. I prosecuted offenses including homicide, rape, aggravated robbery, aggravated assault, aggravated burglary, street level drug sales, drug possession, theft, illegal gun possession, and driving under the influence.

I conducted several jury trials during that time including a case that involved the robberies and aggravated robberies of six different Nashville hotels. I also tried cases involving rape, aggravated assault, and driving under the influence. I responded to countless motions by written response and through argument on issues such as suppression of evidence, suppression of confession/statement, dismissal of the indictment, speedy trial, and exclusion of evidence.

Private Practice

After serving for two years as an Assistant District Attorney, I entered private practice. I became an associate attorney at the firm of Bill Easterly & Associates. My practice at that time was approximately ninety-five percent family law and five percent criminal law. I handled divorces, post-divorce proceedings, petitions to establish paternity, petitions for orders of protection (or defense of clients served with orders of protection), and other family law matters. I practiced primarily in the Circuit and Juvenile Courts of Davidson County but also traveled to other counties throughout middle Tennessee. During this time, I began taking a few criminal defense appointments in the Davidson County Criminal Courts.

After approximately two years, I left the firm and became a solo practitioner. I phased out my family law practice and began practicing criminal defense exclusively. I represented clients charged with crimes pending in the Juvenile Court, General Sessions Court, and the Criminal Courts of Davidson County. I also represented clients who had crimes pending in other counties throughout middle Tennessee. Although I was retained on many different types of criminal cases, much of my practice was spent defending clients charged with driving under the influence. My first criminal defense trial experience was assisting another attorney in a vehicular homicide case that occurred in Cannon County, Tennessee. I also began taking on criminal appellate work and argued my first case before the Court of Criminal Appeals.

Approximately one year later, I was offered a job as an associate attorney with the law firm of Willis & Knight. I continued my criminal defense practice and worked in the courts of Davidson County and courts located throughout middle Tennessee. Shortly after joining the firm, Attorneys Roger May and Ed Ryan left Willis & Knight and started the firm of May & Ryan. I left Willis & Knight as well and accepted a job as an associate attorney with May & Ryan. For the next seven years, I remained at this firm practicing criminal defense almost exclusively. I represented clients in several appellate cases and successfully (and unsuccessfully) argued several cases before the Court of Criminal Appeals, the Court of Appeals, and the Tennessee

Supreme Court.

Return to the Office of the District Attorney General

In 2014, I was hired again as an Assistant District Attorney by the Honorable Glenn R. Funk. I was first assigned to the Division VI Criminal Court Team that staffed Judge Mark Fishburn's courtroom. A few months later, I was assigned to the Division III Criminal Court Team that staffed Judge Cheryl Blackburn's courtroom. From 2015 to 2018, I prosecuted serious felony cases involving murder, rape, robbery, child abuse, child sexual abuse, aggravated burglary, aggravated kidnapping, gun crimes, and drug crimes. I tried numerous cases in that courtroom (many of those trials are listed under question #8).

In 2018, I was promoted to Team Leader of the Division IV Criminal Court Team. This team staffed newly appointed Judge Jennifer Smith's courtroom. As the team leader, I made all case assignments, provided training and guidance to my teammates, and tried numerous violent felony cases in that courtroom (many listed under question #8). As a criminal court attorney, I represented the State's position in hearings for bond motions, probation violations, petitions for suspended sentences, petitions for post-conviction relief (alleging ineffective assistance, DNA PCR act, Fingerprint PCR act), petitions for writ of error coram nobis, motions for judicial hospitalization, motions to suppress, motions to dismiss, motions for speedy trial, motions alleging due process delay, motions in limine, and motions for new trial.

In June of 2024, I was assigned as Team Leader for the Special Operations, Fraud & Economic Crimes, and VAPIT Units.

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

Over the course of my career, I have tried approximately thirty jury trials. I have also argued cases before the Court of Appeals, the Court of Criminal Appeals, and the Tennessee Supreme Court. Below are several cases that I believe are of special note because they illustrate the types of issues that a criminal court judge is required to rule on regularly. I have included a description of the types of offenses involved, the types of issues I litigated, and the types of evidence I introduced during the trials. Two of the issues Judge Cheryl Blackburn ruled upon were issues of first impression in the Tennessee appellate courts.

Cases while serving as Assistant District Attorney

***State v. Watkins*, 648 S.W.3d 235 (Tenn. Crim. App. 2021)**

- Attempted robbery and murder of victim sitting in his car in his driveway
- Case of first impression regarding the admissibility of probabilistic genotyping DNA evidence

This case was tried in the Davidson County Criminal Court, Division III. I served as lead counsel.

This was an attempted robbery of a random victim while he was seated in his car parked in the driveway of his residence. He was shot in the head after he told the defendant he didn't have anything to give him. While the defendant searched through the victim's pockets, the codefendant fired approximately fifteen times into the victim's residence. Bullet holes were found in the curtains, dresser, headboard, a pillow, and the walls of the bedroom where the victim's seven-year-old and thirteen-year-old children had been sleeping. After the shooting, the defendants fled the scene. Moments later, the victim's son and wife discovered his body in the driveway.

Case of first impression for probabilistic genotyping DNA evidence and first case in Tennessee where this type of evidence had been introduced

Crucial evidence in this case was the DNA collected from the pocket of the victim's pants. This DNA evidence was consistent with the defendant's DNA and was introduced through forensic experts from the Cybergenetics Crime Lab located in Pennsylvania.

I petitioned the District Attorneys General Conference for funds to pay for the full analysis of this evidence and for the Cybergenetics experts to testify at the pretrial hearing and trial. I spent many hours with the experts learning about probabilistic genotyping and preparing numerous exhibits demonstrating its validity. The pretrial hearing lasted approximately five to six hours. I introduced sixteen separate exhibits made up of hundreds of pages of materials so Judge Cheryl Blackburn could rule on the admissibility of the evidence. I called a total of four DNA experts and cross-examined two expert witnesses for the defense.

Other pretrial litigation

The defendant filed a motion to suppress his statement given to police claiming it was not voluntarily given because of police deception during the questioning. I filed a written response, put on proof, and argued that the statement was knowingly and voluntarily given. The defendant's motion was denied, and the issue was affirmed on appeal.

Convictions

The defendant was convicted of first degree felony murder, two counts of attempted first degree premeditated murder, second degree murder, attempted especially aggravated robbery, and employing a firearm during the commission of a dangerous felony.

Sentence

The defendant was sentenced to life plus twenty-seven years.

State v. Cannon, 642 S.W.3d 401 (Tenn. Crim. App. 2021)

- Murder of defendant's ex-girlfriend/mother of his son
- Victim's body never recovered
- Case of first impression regarding the admissibility of human remains detection (HRD) dog evidence

This case was tried in the Davidson County Criminal Court, Division III. I served as co-counsel.

The defendant killed his ex-girlfriend who was also the mother of his ten-year-old son. On the day of the victim's disappearance, the defendant arrived early at the victim's residence while the child was still in school. He started arguing with the victim about custody, money issues, and her current boyfriend. Believing that the victim had texted a friend asking the friend to call the police, he struck the victim in the head with brass knuckles and then strangled her to death with an appliance cord. He placed her body in the bathtub of her residence and shut the door. The defendant then picked his son up from school and returned to the victim's residence where he and his son remained until dark. During that time, the defendant refused to let his son go into the bathroom where he had placed the body. The defendant removed the body from the home either that afternoon or the following night. While in custody, the defendant told a cellmate that he took her body to a farm and put it in a machine meant to grind up large carcasses used to feed pigs.

Case of first impression for the admissibility of human remains detection dog evidence

Human remains detection (HRD) dogs alerted to the bathtub drain and to a rug found in the bedroom of the victim's residence. HRD dogs also alerted to the trunk of the defendant's car. At that time, no Tennessee appellate court had ruled on the admissibility of expert testimony regarding an HRD dog's alert. The trial court ruled that this evidence was reliable and admissible. I assisted co-counsel with preparing the questions for the direct testimony of three different HRD dog handlers as well as preparing potential questions for the cross-examination of the defense experts. The Court of Criminal Appeals affirmed the trial court's ruling and utilized this case to establish the standard for admissibility of HRD dog evidence.

Other issues in the case

I litigated several issues in the case. I filed a motion to exclude the victim's unauthenticated texts, emails, and internet history from being introduced. The trial court granted the motion, and the issue was affirmed on appeal. I also filed a motion to exclude the testimony of a private attorney who would have been called to give his opinion about whether the State's witnesses based their testimony upon the defendant's discovery materials rather than the defendant's admissions. The trial court granted the motion, and the issue was affirmed on appeal.

During the trial, an issue arose concerning identification testimony of a witness I had called. I argued to allow the witness's identification of the defendant because there was no state action relating to the identification procedure. The court allowed the testimony, and the issue was affirmed on appeal.

Conviction and sentence

The defendant was convicted of first degree premeditated murder and sentenced to life.

***State v. William K. Lawrence*, No. M2018-01308-CCA-R3-CD, 2020 WL 563531 (Tenn. Crim. App. Feb. 5, 2020)**

- Attempted robbery and murder of twenty-one-year-old Tennessee State University student

This case was tried in the Davidson County Criminal Court, Division III. I served as lead counsel.

This was the random attempted robbery and homicide of a twenty-one-year-old TSU student. The defendant and codefendant approached the victim who was seated inside his car talking to a girlfriend who was seated in the passenger seat. The car was parked near Hadley Park and behind the downtown library. The victim was showing the girlfriend his new red convertible that his parents had given him. The car was approached from behind by the defendant and codefendant who both had guns. The codefendant told the victim to get out and that he was “not playing.” The victim attempted to drive away but was struck by a bullet that went through the vinyl convertible top. He received a gunshot to the head and died instantly.

Digital forensics – cellphone extraction evidence

I introduced evidence extracted from the codefendant’s cellphone showing numerous Google searches for news reports about the shooting shortly after the shooting had occurred. Additionally, I introduced text messages that had been deleted but still remained in the phone where the codefendant told his girlfriend that police were questioning him about the homicide he “did at Hadley” Park.

Conviction and sentence

The defendant was convicted of first degree felony murder and sentenced to life.

State v. Dantis Lakka-Lako, No. M2023-00080-CCA-R3-CD, 2023 WL 8596321 (Tenn. Crim. App. Dec. 12, 2023)

- Aggravated rape of pregnant victim who jumped from third floor apartment window to escape

This case was tried in the Davidson County Criminal Court, Division IV. I served as lead counsel.

Unbeknownst to the victim, the defendant entered her third-floor apartment while she was making trips back and forth to her car to bring in groceries she had purchased. After putting the groceries away, she went to her bedroom to take a nap. She was unaware the defendant was hiding in the apartment. Minutes later she woke up with the defendant standing over her with a large kitchen knife. The defendant proceeded to rape the victim. During the rape, she was able to grab a bottle from the nightstand and strike the defendant which opened a cut on the defendant’s head. The defendant went to the kitchen and used a paper towel to wipe the blood from his head. While the defendant was in the kitchen, the victim, fearing for her life, opened her bedroom window and jumped from the third floor. Although she fractured her pelvis when she hit the ground, she was able to walk to a neighbor’s apartment to call the police. The defendant took her wallet and keys from the apartment and left the complex in her car.

Pretrial litigation

I responded to a motion to suppress the defendant’s statement alleging that the statement was not knowingly and voluntarily given. After a lengthy hearing, the trial court denied the motion. This

issue was affirmed on appeal.

DNA evidence introduced

I introduced DNA evidence collected from underneath the victim's fingernails, from the bloody paper towel, and from the steering wheel and gear shift of the victim's stolen vehicle. The DNA found on these items matched the defendant's DNA.

Convictions

The defendant was convicted of one count of especially aggravated robbery, two counts of aggravated rape, one count of especially aggravated burglary, and two counts of theft of property.

Sentence

The trial court sentenced the defendant to fifty years.

***State v. Jamil Toure Holloway*, No. M2022-00862-CCA-R3-CD, 2023 WL 7413368 (Tenn. Crim. App. Nov. 9, 2023)**

- Retaliation murder and attempted robbery of victim who defendant believed had cheated him in a game of chance

This case was tried in the Davidson County Criminal Court, Division IV. I served as lead counsel. This was the second trial that occurred after the first trial had been declared a mistrial due to one of the State's witnesses testing positive for COVID-19 prior to being called as a witness.

The victim was operating a gaming trailer in the parking lot of a convenience store. The defendant played numerous games of chance throughout the day at the victim's trailer. Believing he had been cheated by the victim earlier in the day, the defendant and codefendant returned later that night to rob and kill the victim. Once at the location, the defendant shot a security guard who was seated in his car next to the victim's trailer. The defendant and codefendant then fired upon the victim killing him. Although they intended to retrieve money from the gaming trailer, the security guard, who had received a gunshot wound to the head, was able to get out of his car and return fire causing the defendant and codefendant to flee the crime scene.

Significant pretrial litigation

There was extensive litigation involving the search warrant authorizing the search of the defendant's cellphone. The trial court ultimately ruled that the evidence from the cellphone was admissible.

The defendant also filed a motion to suppress the defendant's statement to police alleging that he had invoked his right to remain silent during the questioning. I reviewed the videotaped statement and conceded that the defendant had invoked his right to remain silent. I filed a written response agreeing that the statement should be suppressed.

Scientific evidence introduced

Several videos were collected from the crime scene. I introduced these videos through an expert

in digital video forensics. One important aspect of the video evidence was being able to introduce segments that had been slowed down frame-by-frame to show the amount of shots fired and the muzzle flash associated with each shot. The enhanced video was also able to show who fired the fatal shot that struck the victim.

I also utilized another expert in digital forensics who performed an extraction on the defendant's cellphone. The extraction found numerous searches for news reports about the shooting, and it found searches for "how to remove gunshot residue" from one's hands.

I called an expert in firearms and tool mark identification who examined the projectiles that were recovered for the purpose of determining the caliber of the firearms used by the defendants.

Convictions

The defendant was convicted of first degree premeditated murder, felony murder, attempted first degree premeditated murder, and aggravated assault.

Sentence

The defendant was sentenced to life plus thirty-one years.

State v. Jalean Robert Williams & Markeil Linskey Williams, No. M2019-02307-CCA-R3-CD, 2021 WL 4305899 (Tenn. Crim. App. Sept. 22, 2021)

- Robbery and execution of sixteen-year-old victim by his "friends"

This case was tried in the Davidson County Criminal Court, Division III. I served as co-counsel.

This was the robbery and murder of a sixteen-year-old by two brothers (eighteen and sixteen years old) who were thought to be friends with the victim. Although there was testimony that the defendants had been to the victim's house on many occasions and had been served dinner by the victim's mother, the two brothers decided to rob the victim of his marijuana, clothing, and money. They met with the victim at his parents' house. While in the kitchen, the victim was shot in the back of the head and killed. The defendants proceeded to take his belongings and flee the scene.

Evidence introduced

I called approximately eight or nine witnesses ranging from fact witnesses, police officers, crime scene investigators, and several expert witnesses. I introduced latent fingerprint evidence and drug analysis/identification evidence through experts with the Metro Nashville Police Crime Laboratory.

Utilizing an expert in gunshot residue (GSR), I introduced evidence that one of the defendants had GSR on his hands when he was arrested shortly after the murder.

Convictions

The defendants were convicted of first-degree premeditated murder, felony murder, possession of marijuana with intent to sell or deliver, possession of Alprazolam with intent to sell or deliver,

and two counts of possession of a firearm during the commission of a dangerous felony.

Sentences

Both defendants were sentenced to life plus fourteen years.

***State v. Shatara Evette Jones*, No. M2022-01620-CCA-R3-CD, 2024 WL 1252218 (Tenn. Crim. App. Mar. 25, 2024)**

- Murder of fourteen-year-old victim

This case was tried in the Davidson County Criminal Court, Division IV. I served as lead counsel.

The defendant contacted the fourteen-year-old victim about buying pills from him. She had a friend drive her to an apartment complex where they were to meet. When she arrived at the complex, the victim walked up to the car where she was seated and handed her a bag of pills. After receiving the pills, the defendant pulled out a gun and shot the unarmed victim in the chest. The victim was able to turn and run. However, the defendant got out of the car and shot him two more times. He died at the scene.

Significant pretrial litigation

I filed responses to the defendant's motions to suppress the contents of her cell phone and her statement that she had given to police. The trial court denied the motions, and the issues were affirmed on appeal.

I also filed a motion in limine to exclude evidence of the victim's alleged gang involvement. The trial court granted the motion and the issue was affirmed on appeal.

Conviction and sentence

The defendant was convicted of first degree murder and received a life sentence.

***State v. DaShawn Patrick Sloan & Demetrius Trevon Higgins*, No. M2023-00331-CCA-R3-CD, 2024 WL 1526116 (Tenn. Crim. App. Apr. 9, 2024)**

- Execution style killing of victim based on retaliation
- Remains of victim identified by expert from the Center for Human Identification located on the campus of the University of North Texas Health Science Center

This case was tried in the Davidson County Criminal Court, Division IV. I served as co-counsel.

The defendants executed the victim as retaliation for a robbery the victim had committed against a drug dealer who worked for one of the defendants. The victim received two gunshot wounds to the head, and his body was driven to Cheatham County where it was left inside a car that was set on fire. When the victim's body was discovered, it had burned to the point that only pieces of his skull and skeleton remained. The body was ultimately identified from the DNA profile obtained from one of the victim's teeth.

Forensic DNA analysis

This was the first case I was involved in where we had to introduce proof of how the victim was identified because the victim's body was burned beyond recognition. I directed the testimony of the investigator from the medical examiner's office who supervised the forensic anthropology team in the removal of the remains from the burnt car. I directed the testimony of the forensic pathologist who testified that she reconstructed the skeletal remains of the victim, determined that he had died from two gunshots to the head, and had sent a partial bone and two teeth to the Center for Human Identification (CHI) located on the campus of the University of North Texas Health Science Center at Fort Worth, Texas. I also directed the testimony of the forensic DNA expert with the CHI who testified that she was able to create a DNA profile from one of the victim's teeth and make an identification.

Convictions

The defendants were convicted of first degree premeditated murder and abuse of a corpse.

Sentences

Defendant Sloan was sentenced to life plus six years. Defendant Higgins was sentenced to life plus four years.

State v. Terrance Lawrence, No. M2020-00630-CCA-R3-CD, 2021 WL 1116408 (Tenn. Crim. App. Mar. 24, 2021)

- Defendant kidnapped and threatened ex-girlfriend with gun after she ended relationship

This case was tried in the Davidson County Criminal Court, Division IV. I served as lead counsel.

After the victim ended her relationship with the defendant, the defendant, armed with a gun, kidnapped the victim while she was pumping gas at a convenience store. During the encounter, the defendant put his gun to her head and threatened to kill her. After convincing him that they would get back together, the defendant released her. She immediately called the police.

Pretrial litigation

I filed a motion in limine seeking to exclude testimony regarding the defendant's mental health unless it established that the mental disease or defect rendered him unable to form the requisite mental state (diminished capacity). The motion was granted by the trial court, and the issue was affirmed on appeal.

Convictions

The defendant was convicted of especially aggravated kidnapping, aggravated assault, domestic assault, driving on a suspended driver's license, and possession of a firearm after having been convicted of a felony involving the use or attempted use of force, violence, or a deadly weapon.

Sentence

The defendant was sentenced to sixty years as a career offender.

***State v. Demetrious Tommy Lee*, No. M2020-00914-CCA-R3-CD, 2021 WL 3825219 (Tenn. Crim. App. Aug. 27, 2021)**

- Ex-boyfriend/defendant dragged victim by her hair through parking lot and shot her in chest

This case was tried in the Davidson County Criminal Court, Division IV. I served as lead counsel.

After the victim ended her relationship with the defendant, he went to her apartment complex and attacked her as she was backing her car out of a parking space. She got out of the car and ran from the defendant. The defendant chased her down and dragged her back through the parking lot by her hair. The defendant threw the victim into her car and shot her once in the upper chest believing she was reaching for a weapon in the glove compartment. He then drove away with the victim bleeding out in the passenger seat. Police pursued and eventually arrested the defendant when the car ran out of gas.

Litigation during the trial

Following the testimony of one of the patrol officers who had been dispatched to the apartment complex, the defendant filed a motion for mistrial claiming that the State failed to collect and preserve an audio recording of the incident recorded by a witness at the scene. I argued that the State was never in possession of the recording and did not have duty to collect it. The trial court agreed and denied the defendant's motion. The issue was affirmed on appeal.

Convictions

The defendant was convicted of attempted second degree murder, especially aggravated kidnapping, and employment of a firearm during a dangerous felony.

Sentence

The defendant was sentenced to eighteen years.

***State v. Rodney Darnell Robinson*, No. M2019-00303-CCA-R3-CD, 2020 WL 1923152 (Tenn. Crim. App. Apr. 21, 2020)**

- Defendant raped and abused two foster care daughters over a period of eight years

This case was tried in the Davidson County Criminal Court, Division III. I served as co-counsel.

As a favor to the mother of the victims, the defendant and his wife (codefendant) took in twin sisters when they were six years old. The sisters stayed with the defendants for eight years. During that time, they were physically and sexually abused by the defendant.

Convictions

The defendant was convicted of two counts of child abuse, five counts of aggravated sexual battery, four counts of rape of a child, two counts of sexual battery by an authority figure, two counts of rape, and one count of attempted rape of a child.

Sentence

The defendant was sentenced to 60 years.

***State v. Juan Diego Vargas*, No. M2015-02458-CCA-R3-CD, 2017 WL 678839 (Tenn. Crim. App. Feb. 21, 2017)**

- Victim “looking at the defendant the wrong way” resulted in his murder

This case was tried in the Davidson County Criminal Court, Division III. I served as lead counsel.

This homicide occurred at a bar in South Nashville. The victim, who did not know the defendant, was playing pool when he was suddenly shot in the head by the defendant. The defendant later told his girlfriend that he shot the victim because he was “looking at him the wrong way.”

Pretrial issues

This case was extremely challenging and a great example of the many obstacles that can prevent a case from being tried. Prior to being arrested, the defendant left the state and then the country for a period of five years. He eventually returned and contacted an ex-girlfriend who turned him in and later testified against him although she greatly feared him.

One eyewitness moved out of state but was found just prior to the trial and willingly returned to Tennessee and testified. On the night before the trial began, another eyewitness advised me that he was afraid of the defendant and was not coming to court. I filed a motion to declare him a material witness. Judge Blackburn granted the motion, and the witness was taken into custody and spent the night in jail before testifying. He did testify truthfully, and his testimony helped to secure the conviction.

During the five years prior to trial, the medical examiner who performed the autopsy in this case left the office and moved out of state becoming unavailable. I filed a motion to allow for a substitute medical examiner to testify. Fortunately, defense counsel chose not to challenge the motion as cause of death was not an issue in the case.

On the morning of trial, the defendant threatened to kill his attorney causing the attorney to make an oral motion to withdraw. The motion was denied.

Conviction and sentence

The defendant was convicted of first degree murder and was sentenced to life.

***State v. Robert William Ward*, No. M2017-02269-CCA-R3-CD, 2019 WL 1436151 (Tenn. Crim. App. Apr. 1, 2019)**

- Victim shot in the face in broad daylight and left in residential neighborhood because defendant thought she stole drugs from him

This case was tried in the Davidson County Criminal Court, Division III. I served as lead

counsel.

The defendant used the victim to purchase drugs for him from an individual who would only sell to the victim. On the day in question, the victim bought drugs for the defendant. When the defendant examined the drugs she had purchased, he believed that she had “shorted” him. The defendant instructed a friend who was driving them around to pull over in a residential neighborhood in Madison, Tennessee. The defendant got out of the car, opened the back door, pulled the victim out of the car, and shot her in the head. The bullet traveled through her cheek, struck part of her esophagus, and lodged near her spine. Residents of the neighborhood call 911. The defendant later told someone that the only reason he didn’t fire another shot was because he heard someone come out of a nearby house.

Pretrial litigation

I filed a motion seeking to use “bad act” evidence relating to the defendant’s drug dealing to prove motive and prevent a contextual void in the proof. The trial court granted the motion, and the issue was affirmed on appeal.

Convictions

The defendant was convicted of attempted first degree murder with serious bodily injury and possession of a firearm during the commission of a dangerous felony.

Sentence

The defendant was sentenced to thirty-five-years.

State v. Monoletto D. Green, No. M2003-02774-CCA-R3CD, 2005 WL 1046800 (Tenn. Crim. App. May 5, 2005)

- Defendant robbed six Nashville hotels

This case was tried in the Davidson County Criminal Court, Division I. I served as lead counsel.

The defendant robbed six Nashville hotels during a ten-day crime spree before he was arrested after committing the sixth robbery. During the robberies, the defendant presented notes to the hotel clerks claiming that he had a gun and would use it. The defendant kept one of his hands in his pocket to make the clerks believe he had a gun.

Conviction and sentence

The defendant was convicted of three counts of aggravated robbery and three counts of robbery. He was sentenced to eighty-four years.

State v. Juwan Jaheim Gaines, No. M2023-01389-CCA-R3-CD, 2025 WL 1514049 (Tenn. Crim. App. May 28, 2025)

- Attempted homicide of victim inside Opry Mills Mall

This case was tried in the Davidson County Criminal Court, Division IV. I served as co-counsel.

The defendant fired a gun three times at a victim he did not know while inside the Opry Mills Mall. The victim was struck in the chest. The defendant fired shots at the victim because the victim was walking with an individual that the defendant feared and because the victim had his hand in his pocket. However, there was no evidence that either the victim or the other individual was aware that the defendant was inside the mall. At the time of the shooting, a couple with a young child was walking between the defendant and victim.

Uncooperative witnesses for the State

I handled the direct testimony of a highly uncooperative eyewitness. Unfortunately, this happens often in serious felony cases. Had it not been for the surveillance video evidence that was introduced, the case would have been difficult to prove.

Conviction

The defendant was convicted of attempted first degree premeditated murder, employing a firearm during the commission of a dangerous felony, and reckless endangerment with a deadly weapon.

Sentence

The defendant received a sentence of twenty-one years.

***State v. Bobby Eugene Blaylock*, No. M2017-02136-CCA-R3-CD, 2019 WL 1858295 (Tenn. Crim. App. Apr. 25, 2019)**

- Attempted rape, assault, and kidnapping of victim who was the cousin of the defendant

This case was tried in the Circuit Court for Cheatham County before Judge David Wolfe. I served as co-counsel.

The defendant and his cousin, the victim, went to the Cheatham Wildlife Management area to eat and have drinks before the defendant was to turn himself in on a warrant for a violation of the sex offender registry. While at this location, the defendant restrained the victim's hands with duct-tape, taped her to a tree, punched her repeatedly, attempted to rape her, threatened her with a crowbar, and stole her truck.

Notice of Defendant's Status as a Repeat Violent Offender

The trial judge determined that our notice of the defendant's status as a repeat violent offender was insufficient but did find that the defendant was a Range II offender. However, the court was overturned on appeal, and the Court of Criminal Appeals determined that the notice was sufficient and modified the defendant's sentence for his aggravated kidnapping conviction to life without possibility of parole.

Convictions and sentence

The defendant was convicted of kidnapping, aggravated kidnapping, attempted rape, robbery, and theft. He was sentenced to life as a repeat violent offender.

Cases as defense attorney/private practice

***State v. L.W.*, 350 S.W.3d 911 (Tenn. 2011)**

I argued this case before the Tennessee Supreme Court during the years I was in private practice and practicing criminal defense. The court ruled in my favor, and the opinion changed how many jurisdictions and criminal court clerks' offices across the state had been interpreting and applying the Tennessee expungement statute as it related to the "partial expungement" of dismissed counts in a multi-count indictment.

My client had entered a plea to one count of a three-count indictment. The remaining charges were dismissed. All the counts were for misdemeanor offenses. A petition to expunge the remaining dismissed counts was filed and subsequently denied. The State argued at the hearing on the petition that dismissed charges that were part of a multi-count or multi-defendant indictment could not be expunged because of the "intertwined" nature of the charges. On appeal, the State further argued that the statute outright prohibited expungement of any records related to charges in a multi-count indictment when a defendant had been convicted of at least one count.

The Tennessee Supreme Court examined the use of the word "case" as used within the expungement statute and essentially held that each count or charge represented a separate case. Therefore, the Court held that my client's conviction on one count of the indictment did not preclude expungement of the records relating to the dismissed charges that were separate counts.

***State v. Tamela Scott*, No. M2006-02067-CCA-R3-CD, 2008 WL 4253722 (Tenn. Crim. App. Sept. 17, 2008)**

This case was tried in the Cannon County Circuit Court. I served as co-counsel.

There was a very serious and sad case where a 14-year-old was killed in an automobile accident. Our client was ultimately convicted of vehicular homicide by intoxication. Our defense was that the crash was caused by the hydroplaning of the client's vehicle on the wet road rather than by intoxication. The client's blood alcohol result registered under the legal limit. However, the State sought to show that the result was over the limit through retrograde extrapolation. My role as co-counsel was primarily to assist with researching and defending against retrograde extrapolation testimony that was ultimately introduced by the State.

***State v. David M. Whitman, Jr.*, No. M2004-03063-CCA-R3-CD, (Tenn. Crim. App. Dec. 5, 2005)**

This case was tried before the Davidson County Criminal Court, Division II. I served as co-counsel.

This was a DUI case where the stop of the client's car was based solely upon inaccurate information given to the officer during his computer check regarding the car's license plate. A motion to suppress was filed alleging that the stop was unconstitutional. While there was a

Tennessee appellate case that was similar to the facts of our case, we believed it was distinguishable. The trial court denied our motion and the client was convicted of driving under the influence following a trial.

Appeal

On appeal, I relied primarily on a Nebraska Supreme Court case where the court held that erroneous information generated by law enforcement could not be used as the sole basis to justify an investigatory stop. The Tennessee Court of Criminal Appeals affirmed the conviction.

***State v. David Henry Hammon*, No. M2009-00723-CCA-R3-CD, 2010 WL 3448105 (Tenn. Crim. App. Sept. 2, 2010)**

Following a trial, the client was convicted of domestic assault and child abuse, both Class A misdemeanors, and was sentenced to supervised probation for eleven months and twenty-nine days. The client requested to be placed on judicial diversion. After a sentencing hearing, the court denied judicial diversion.

Appeal

I was retained to handle the appeal in this case. I believed there was an argument that the trial court had not placed enough weight on factors like the client having no prior record, was a Gulf War veteran, had always maintained steady employment, was described as a hard worker by former employers, and was further described as an honest and responsible person by his pastor. The Court of Criminal Appeals affirmed the trial court's denial of judicial diversion.

***Stacy Harris v. Thomas Hall*, No. M2011-01983-COA-R3CV, 2012 WL 2393969 (Tenn. Ct. App. June 25, 2012)**

I defended this civil matter in the Williamson County Circuit Court. Essentially, the plaintiff was attempting extend an agreed order that had settled all claims and dismissed the complaint nine years earlier. The Circuit Court ruled in my client's favor and the plaintiff appealed. I also handled the appeal which was my first and only time arguing before the Court of Appeals. The Court of Appeals ruled in my favor.

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

Internship Office of the District Attorney, Williamson County

During my final year of law school, I participated in an internship at the Williamson County District Attorney's Office. I was able to obtain a temporary license as a student. This allowed me to negotiate minor misdemeanor cases and conduct preliminary hearings under the supervision of an Assistant District Attorney. I recall this being a very exciting experience for me and influenced me to pursue a practice in criminal law.

Law clerk for Finch & McBroom

This was my first job in a law office. The attorneys in the firm handled insurance defense, plaintiff's cases, family law, collections, and some criminal defense from time to time. Not only did I learn a lot about the law and negotiation, I learned a lot about the business of law—how billing worked, how retainer fees were structured, and what staff and resources are required for a small firm. This assisted me greatly later when I became a solo practitioner.

Volunteer law clerk for Judge Steve Dozier

Knowing that I was interested in criminal law, I began sending out my resume seeking a criminal court law clerk position. Judge Dozier responded and allowed to volunteer one day per week in his courtroom for approximately six months until he had an opening and offered me the job full time. During the time I volunteered, I worked for Finch & McBroom Monday through Thursday and for Judge Dozier on Friday. I attended law school at night.

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

This is the first application I have submitted for a 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.

Nashville School of Law

Dates of attendance: enrolled August 1996, graduated June 2000

Degree awarded: Doctor of Jurisprudence

- Graduated 4th out of a class of 84 students
- 1997 – 1998 J. G. Lackey, Jr. Scholarship Recipient
- 1998 – 1999 Faculty & Trustee Scholarship Recipient
- 1999 – 2000 J. Carlton Loser Scholarship Recipient
- Cooper's Inn Honor Society Member

Middle Tennessee State University

Dates of attendance: enrolled January 1992, graduated May 1996

Degree awarded: Bachelor of Science

Major: Social Studies with and Emphasis in Political Science

Minor: Secondary Education

- Dean's List Spring 1992
- Dean's List Fall 1992
- Dean's List Fall 1994
- GPA 3.5

Columbia State Community College

Dates of attendance: enrolled September 1985, graduated May 1989

Degree awarded: Associate of Science

- Music Award

PERSONAL INFORMATION

12. State your date of birth.

██████████

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

I have lived in Tennessee since birth.

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

I have resided in Davidson County since August 2024. Prior to this, I resided in Davidson County from 1994 until 2012.

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

Davidson County

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.

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.

There have been no formal complaints filed 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.

I was a party in a divorce case filed in the Fourth Circuit Court of Davidson County, Tennessee.

The case was styled Stephen Douglas Thurman v. Virginia Gay Bartlett-Thurman. The case number was 10D-412. The complaint was filed on February 12, 2010, and the case was settled amicably and without a trial. The final decree was filed on May 26, 2010, granting divorce on the grounds of irreconcilable differences.

In 2002, I prosecuted a defendant named Monoletto Green who was convicted after trial and sentenced to eighty-four years. On October 18, 2022, he filed a Petition for Writ of Certiorari & Supersedeas in the Sixth Circuit Court of Davidson County, Tennessee. The case was styled Monoletto Delshone Green v. The State of Tennessee, Judge Steve Dozier, & Assistant District Attorney General Stephen Douglas Thurman. The case number was 22C/2108. I was represented by the Office of the Attorney General. The case was dismissed on May 9, 2023, by order signed by Judge Thomas Brothers.

In reviewing the Circuit Court Clerk's database, I further discovered that Mr. Green had filed a Petition for Common Law Writ of Certiorari in the Eighth Circuit Court of Davidson County on November 23, 2020. The case was styled Monoletto Delshone Green v. Doug Thurman and Pamela Sue Anderson. The case number was 20C2579. I was never served with process in this case and was unaware of its existence. It was "dismissed for want and lack of prosecution" on July 1, 2024, by order signed by Judge Lynne T. Ingram.

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.

Tennessee Farm Bureau

Davidson County Democratic Party

Tennessee Democratic Party

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.

Nashville Bar Association, 3/2025 to present, (previous membership 2001 through 2013)

Tennessee Bar Association, 3/2025 to present, (previous membership 2007 through 2015)

During the years I practiced criminal defense, I was a member of the following organizations:

National College of DUI Defense

National Association of Criminal Defense Lawyers

Tennessee Association of Criminal Defense Lawyers

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.

June 2024 – promoted to Team Leader of the Special Operations, Economic Crimes/Fraud, and VAPIT Units

October 2018 – promoted to Team Leader of the Division IV Criminal Court Team

2016 “General’s Cup” award – Division III Trial Court Team received award for the most jury trials

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.

Not applicable.

ESSAYS/PERSONAL STATEMENTS

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

I am seeking this appointment because it would truly be an honor to continue to serve the people of Davidson County in a new capacity as judge. My entire legal career has been based in Davidson County with the bulk of my work occurring in the Criminal Courts of Davidson County.

I believe that I am uniquely qualified for this position having practiced both as a prosecutor and as a criminal defense attorney for approximately equal periods of time during my career. My experience as judicial law clerk for Judge Steve Dozier also provided me with a unique perspective on what it takes to be a trial judge. I submit that these experiences have prepared me to be a competent, fair, impartial, and independent judge for all parties if given the opportunity to serve.

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)*

I am seeking appointment as Judge of the Davidson County Criminal Court, Division III. The court has jurisdiction to adjudicate criminal cases originating in the 20th Judicial District that encompasses the entirety of Davidson County. There are a total of six criminal court judges serving the district.

Having been assigned to Division III for several years as a prosecutor and having practiced in this court for many years as a defense attorney, I am uniquely familiar with how the court operates daily and could take the bench ready to preside over whatever matters are pending. I would bring a strong work ethic, great organizational skills, and an even temperament to ensure that matters are adjudicated fairly and efficiently.

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 would uphold and follow the law even if I personally disagreed with the substance of the law.

A few years ago, an attorney filed a motion to expunge three misdemeanor convictions that had arisen from a single incident that occurred over 30 years ago. The attorney explained that the misdemeanor convictions had caused many problems for his client in terms of employment opportunities over the years. The attorney asked me if I would sign an agreed order allowing for the expungement or inform the court that I was not opposed to the motion.

In reviewing the matter, it was clear that the defendant had not had any other charges since pleading guilty to the misdemeanor charges. Character reference letters that were provided

indicated that the defendant had been a model citizen since being convicted.

I advised the attorney that I appreciated his advocacy, and that I believed the expungement statute should be amended to provide for expungement for a situation like this. However, I further explained that I could not sign an agreed order, nor could I say that I was unopposed to the motion because the statute simply did not provide for expungement. The attorney did go forward with the hearing, and I opposed the motion. The judge took the matter under advisement and issued an order denying the motion. If I serve as judge, I will rule the same way.

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. Judge Steve Dozier
Davidson County Criminal Court, Division I
Justice A.A. Birch Building
408 2nd Avenue North
Nashville, Tennessee 37201
Office: (615) 862-5930, Cellular: [REDACTED]
Email: [REDACTED]

B. Judge Jennifer Smith
Davidson County Criminal Court, Division IV
Justice A.A. Birch Building
408 2nd Avenue North
Nashville, Tennessee 37201
Office: (615) 862-5945, Cell: [REDACTED]
Email: [REDACTED]

C. Honorable Glenn R. Funk, District Attorney General for the 20th Judicial District
Washington Square, Suite 500
222 2nd Avenue North
Nashville, TN 37201
Office: (615) 862-5500, Cell: [REDACTED]
Email: [REDACTED]

D. Chad Gish
Forensic Consultant, Magnet Forensics
Metropolitan Police Detective – Surveillance and Investigative Support Unit (Retired)
3800 Asheford Trace
Antioch, Tennessee 37013
Cell: [REDACTED]
[REDACTED]

E. Cesar Gueikian,
President & CEO, Gibson Guitar Corporation
209 10th Avenue South
Nashville, Tennessee 37203
Cell: [REDACTED]
Email: [REDACTED]

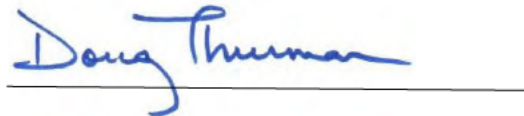
AFFIRMATION CONCERNING APPLICATION

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 **Davidson County Criminal Court, Division III** 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: June 26, 2025.



Signature

When completed, return this questionnaire to John Jefferson at the Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



**TENNESSEE TRIAL COURT VACANCY COMMISSION
ADMINISTRATIVE OFFICE OF THE COURTS**

511 UNION STREET, SUITE 600
NASHVILLE CITY CENTER
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY
TENNESSEE BOARD OF JUDICIAL CONDUCT
AND OTHER LICENSING BOARDS**

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

Stephen Douglas Thurman
Type or Print Name

Doug Thurman

Signature

June 26, 2025
Date

021030
BPR #

Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.
