

FILED

06/22/2026

Clerk of the
Appellate Courts

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE

Assigned on Briefs June 4, 2026

CALEB TAYLOR SPEARS v. RUSSELL LEE SCRUGGS ET AL.

Appeal from the Chancery Court for Jefferson County
No. 24-CV-91 James H. Ripley, Chancellor

No. E2026-00854-COA-T10B-CV

This accelerated interlocutory appeal requires us to determine whether the trial court erred in denying Appellant’s motion for recusal, which was brought pursuant to Tennessee Supreme Court Rule 10B § 2. Because Appellant’s petition fails to comply with the requirements of Tennessee Supreme Court Rule 10B § 2.03, the appeal is dismissed.

Tenn. Sup. Ct. R. 10B Interlocutory Appeal; Appeal Dismissed

STEVEN W. MARONEY, J., delivered the opinion of the court, in which JOHN W. MCCLARTY, P.J., E.S., and W. NEAL MCBRAYER, J., joined.

Caleb Sanders, Oneida, Tennessee, appellant, pro se.

P. Richard Talley, Dandridge, Tennessee, for the appellees, Russell Lee Scruggs and Samantha Marlana Kelton.

OPINION

I. Background

In a civil action before the Jefferson County Chancery Court (“trial court”), Caleb Taylor Spears (“Appellant”) filed a motion seeking recusal of Chancellor James H. Ripley. On June 3, 2026, the trial court entered an order denying the motion. Because Appellant did not include a copy of the motion, or the trial court’s order, we are unable to substantively review the proceedings below.

On June 4, 2026, Appellant filed the instant “Petition for Accelerated Interlocutory Appeal Pursuant to Tennessee Supreme Court Rule 10B,” which is being heard as an “accelerated interlocutory appeal as of right” pursuant to § 2.01 of Rule 10B.

II. Issue

When reviewing a Tennessee Supreme Court Rule 10B appeal, the only order this Court may review is the trial court’s order that denies a motion to recuse. *Duke v. Duke*, 398 S.W.3d 665, 668 (Tenn. Ct. App. 2012) (“Pursuant to [Tennessee Supreme Court Rule 10B], we may not review the correctness or merits of the trial court’s other rulings[.]”). Accordingly, the sole issue is whether the trial court erred in denying the Appellant’s motion for recusal. *Williams by & through Rezba v. HealthSouth Rehab. Hosp. N.*, No. W2015-00639-COA-T10B-CV, 2015 WL 2258172, at *5 (Tenn. Ct. App. May 8, 2015).

III. Pro Se Status

While we are cognizant of the fact that Appellant is representing himself in this appeal, it is well-settled that “pro se litigants are held to the same procedural and substantive standards to which lawyers must adhere.” *Brown v. Christian Bros. Univ.*, 428 S.W.3d 38, 46 (Tenn. Ct. App. 2013). This Court has held that “[p]arties who choose to represent themselves are entitled to fair and equal treatment by the courts.” *Hodges v. Tenn. Att’y Gen.*, 43 S.W.3d 918, 920 (Tenn. Ct. App. 2000) (citing *Paehler v. Union Planters Nat’l Bank, Inc.*, 971 S.W.2d 393, 396 (Tenn. Ct. App. 1997)). Nevertheless, “courts must not excuse pro se litigants from complying with the same substantive and procedural rules that represented parties are expected to observe.” *Young v. Barrow*, 130 S.W.3d 59, 63 (Tenn. Ct. App. 2003) (citing *Edmundson v. Pratt*, 945 S.W.2d 754, 755 (Tenn. Ct. App. 1996); *Kaylor v. Bradley*, 912 S.W.2d 728, 733 n.4 (Tenn. Ct. App. 1995)).

IV. Standard of Review

Tennessee Supreme Court Rule 10B governs appeals from orders denying motions to recuse. Pursuant to § 2.01 of Rule 10B, a party is entitled to an “accelerated interlocutory appeal as of right” from an order denying a motion for disqualification or recusal. The appeal is perfected by filing a petition for recusal appeal with the appropriate appellate court. Tenn. Sup. Ct. R. 10B, § 2.02.

“The party seeking recusal bears the burden of proof.” *In re Samuel P.*, No. W2016-01592-COA-T10B-CV, 2016 WL 4547543, at *2 (Tenn. Ct. App. Aug. 31, 2016) (citing *Williams ex rel. Rezba*, 2015 WL 2258172, at *5; *Cotham v. Cotham*, No. W2015-00521-COA-T10B-CV, 2015 WL 1517785, at *2 (Tenn. Ct. App. Mar. 30, 2015)). Specifically, “[a] party challenging the impartiality of a judge ‘must come forward with some evidence that would prompt a reasonable, disinterested person to believe that the judge’s impartiality might reasonably be questioned.’” *Id.* (quoting *Duke v. Duke*, 398 S.W.3d 665, 671 (Tenn. Ct. App. 2012)). This requires, inter alia, the timely filing of a motion in the trial court that

“shall state, with specificity, all factual and legal grounds supporting disqualification of the judge[.]” Tenn. Sup. Ct. R. 10B, § 1.01.

Our standard of review in a Rule 10B appeal is de novo. *See* Tenn. Sup. Ct. R. 10B, § 2.01. “De novo is defined as ‘anew, afresh, a second time.’” *Simms Elec., Inc. v. Roberson Assocs., Inc.*, No. 01-A-01-9011-CV-00407, 1991 WL 44279, at *2 (Tenn. Ct. App. Apr. 3, 1991) (quoting Black’s Law Dictionary, 392 (5th ed. 1979)).

If, after reviewing the petition and supporting documents, we determine that no answer is needed, we may act summarily on the appeal. Tenn. Sup. Ct. R. 10B, § 2.05. Otherwise, this Court must order an answer and may also order further briefing by the parties. *Id.* Tennessee Supreme Court Rule 10B § 2.06 also grants this Court the discretion to decide the appeal without oral argument. Following a review of the petition for recusal appeal, we have determined that neither an answer, additional briefing, nor oral argument is necessary, and we elect to act summarily on the appeal in accordance with Rule 10B §§ 2.05 and 2.06.

V. Analysis

Interlocutory recusal appeals require “meticulous compliance with the provisions of Rule 10B.” *Johnston v. Johnston*, No. E2015-00213-COA-T10B-CV, 2015 WL 739606, at *2 (Tenn. Ct. App. Feb. 20, 2015). In pertinent part, Rule 10B states:

The petition *shall* be accompanied by a copy of the motion and all supporting documents filed in the trial court, a copy of the trial court’s order or opinion ruling on the motion, and a copy of any other parts of the trial court record necessary for determination of the appeal.

Tenn. Sup. Ct. R. 10B § 2.03 (emphasis added). Furthermore, Rule 10B § 2.03(C) requires that the petition “contain . . . [a]n argument, setting forth contentions of the appellant with respect to the issues presented, and the reasons therefor, including the reasons why the contentions require appellate relief, with citations to the authorities[.]” Tenn. Sup. Ct. R. 10B § 2.03(C). Here, Appellant’s petition for recusal appeal fails to satisfy the mandatory requirements of Rule 10B § 2.03.

A. Failure to Include Required Documents

First, Appellant’s petition fails to include the motion for recusal filed in the trial court and the trial court’s order denying the motion. As this Court has noted, “a copy of the recusal motion is an ‘essential component[] of a recusal appeal.’”¹ *Powell v. Knoxville*

¹ Failure to include a copy of the motion filed below *also* leaves us unable to review “whether the motion was accompanied by an affidavit or declaration under penalty of perjury that the allegations therein were made upon [Appellant’s] personal knowledge and an affirmative statement that the motion was not made for an improper purpose” as required by Rule 10B § 1.01. *Sukapurath v. Raghavan*, No. W2026-00450-COA-T10B-CV, 2026 WL 1078505, at *2 (Tenn. Ct. App. Apr. 21, 2026).

TVA Employees Credit Union, No. E2026-00463-COA-T10B-CV, 2026 WL 1134096, at *2 (Tenn. Ct. App. Apr 1, 2026) (quoting *Bradfield v. Thoman*, No. W2025-01416-COA-T10B-CV, 2025 WL 2754056, at *2 (Tenn. Ct. App. Sept. 29, 2025)). This omission, in and of itself, is grounds for dismissal of the appeal because “we cannot review the propriety of the trial court’s denial of the motion[.]” *Powell*, 2026 WL 1134096, at *2.

In addition to the recusal motion, Appellant fails to include the trial court’s order denying recusal. This, as well, is grounds for dismissal because we are “unable to fully review the trial court’s decision without a copy of the order denying the motion[] to recuse.” *Hurvitz v. Smith*, No. E2025-00778-COA-T10B-CV, 2025 WL 1567343, at *2 (Tenn. Ct. App. June 3, 2025).

B. Failure to Provide Argument Under § 2.03(C)

Finally, Appellant’s petition does not satisfy the requirements of § 2.03(C) because it fails to include a meaningful argument that would provide grounds for recusal.² Rather, Appellant argues that the substantive rulings of the trial court, being adverse to him, constitute grounds for recusal.³ As a matter of law, a trial court’s decision that is adverse to a party is not grounds for recusal. *Adams v. Dunavant*, 674 S.W.3d 871, 879 (Tenn. 2023) (“[R]ulings adverse to the proponent of a recusal motion are not, standing alone, grounds for recusal.”). Regardless, we cannot review the trial court’s decision because Appellant failed to attach it to the appeal as required. *See Hurvitz*, 2025 WL 1567343, at *2.

In the absence of the required documents from the trial court, as in the absence of a meaningful argument for recusal, Appellant failed to comply with two essential components of Rule 10B § 2.03. *See Powell*, 2026 WL 1134096, at *2; *see also Hurvitz*, 2025 WL 1567343, at *2. Appellant’s failure to strictly comply with the requirements of Tennessee Supreme Court Rule 10B § 2.03 is fatal to his appeal.

² Rule 10B § 2.03(C) provides that “[t]he petition for recusal appeal shall contain...[a]n argument, setting forth the contentions of the appellant with respect to the issues presented, and the reasons therefor, including the reasons why the contentions require appellate relief, with citations to the authorities”.

³ The entire “Argument and Basis for Recusal” section of Appellant’s petition states:

In this case, the appearance of partiality is structural. The trial court has consistently protected the operational interests of opposing counsel’s clients at the direct expense of a pro se litigant’s explicit, deeded property rights. By entering an order that functionally bars a property owner from securing his own premises, failing to enforce mandatory bond protections required under Tenn. R. Civ. P. 65.05, and permitting the wholesale physical destruction of a \$60,000 commercial building asset without recourse, the trial court’s actions transcend standard judicial discretion and create an untenable appearance of systemic bias.

VI. Conclusion

For the foregoing reasons, the appeal is dismissed. Costs of the appeal are assessed to the Appellant, Caleb Sanders. Execution for costs may issue if necessary.

s/ Steven Maroney _____
STEVEN W. MARONEY, JUDGE