

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT KNOXVILLE

Assigned on Briefs August 19, 2026

FILED

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STATE OF TENNESSEE v. LEE ALLEN DENTON

Clerk of the Appellate Courts
Rec'd By _____

Appeal from the Criminal Court for Hamblen County
Nos. 21CR469, 21CR151, 24CR006 John F. Dugger, Jr., Judge

No. E2025-01647-CCA-R3-CD

The Defendant, Lee Allen Denton, appeals from the order of the trial court revoking his probation. He argues that (1) the trial court violated his due process rights by failing to provide a neutral and detached hearing body and instead applying a blanket policy of total revocation; (2) the trial court imposed an illegal sentence by increasing his release eligibility percentage from sixty percent to one hundred percent through a judge-signed mittimus; and (3) the trial court failed to properly apply the required two-step analysis for probation revocation. After review, we affirm the trial court's finding that the Defendant violated his probation and the revocation of probation; however, the trial court failed to articulate sufficient findings regarding the consequences imposed, as required by State v. Dagnan, 641 S.W.3d 751 (Tenn. 2022). Because the record is insufficiently developed for meaningful de novo review, we remand for entry of findings on the record consistent with Dagnan.

Tenn. R. App. P. 3 Appeal as of Right; Judgment of the Criminal Court Affirmed in Part, Reversed in Part; Case Remanded

CAMILLE R. McMULLEN, J., delivered the opinion of the court, in which ROBERT L. HOLLOWAY, JR., and TOM GREENHOLTZ, JJ., joined.

Colby A. Collins, Assistant District Public Defender, for the appellant, Lee Allen Denton.

Jonathan Skrmetti, Attorney General and Reporter; William C. Lundy, Assistant Attorney General; Dan E. Armstrong, District Attorney General; and Dustin Click, Assistant District Attorney General, for the appellee, State of Tennessee.

OPINION

On November 1, 2023, the Defendant entered a guilty plea to aggravated assault and received an effective sentence of six years with thirty percent release eligibility. The trial court ordered that the Defendant serve 180 days in confinement, followed by supervised probation for the remainder of the sentence. On that same day, the Defendant entered another guilty plea for violating the sexual offender registry, in which he was sentenced to 90 days in confinement and one year of supervised probation. The trial court ordered this sentence to be served consecutively to the Defendant's six-year sentence for the aggravated assault. On September 17, 2024, the Defendant entered a guilty plea to abuse of a corpse and received an effective sentence of six years with release eligibility at sixty percent, which was suspended to probation.

On February 25, 2025, the Hamblen County Criminal Court issued a violation of probation warrant for the Defendant, alleging the following violations:

RULE #1: I will obey the laws of the United States, or any State in which I may be, as well as any municipal ordinances.

In February 2025, the [Defendant] was charged with Violation of Sex Offender Registry (x7) and Perjury in Hamblen County, TN.

RULE #7: I will not use intoxicants (beer, whiskey, wine, etc.) of any kind, or use or have in my possession narcotic drugs or marijuana. I will not enter an establishment whose prime purpose is selling alcoholic beverages (bars, taverns, clubs, etc.) or visit places where intoxicants or drugs are unlawfully sold, dispensed, or used. I will not associate with persons of ill repute.

On 02/06/2025, the [Defendant] took a 13-panel drug screen and tested positive for Amphetamines, Methamphetamines, Ecstasy/MDMA, and Morphine. Abbott Laboratories returned a drug screen report on 02/14/2025 confirming the [Defendant] positive for Amphetamines (1578 ng/ml), Methamphetamines (11403 ng/ml), and Hydrocodone (456 ng/ml). PPO discovered text messages in the [Defendant]'s cell phone talking about selling drugs. Several photos were found in the [Defendant]'s phone of marijuana and what appeared to be THC gummies.

RULE 14: If convicted of a sexual offense as defined in [Tennessee Code Annotated section] 40-39-102, I will follow the sexual offender directives unless otherwise directed by the Court. If convicted of an offense or an attempt to commit an offense under [Tennessee Code Annotated section] 39-13-502, 39-13-503, 39-13-504, or 39-13-522, such offense being committed on or after July 1, 1996, I shall be sentenced to and agree to abide by the

provisions of Community Supervision for Life, pursuant to [Tennessee Code Annotated section] 39-13-524. Any sex offender as defined by law is subject to GPS monitoring if required.

....

Specialized Probation Conditions for Sex Offenders

Rule #1: Unless prohibited by my treatment plan pursuant to [Tennessee Code Annotated] § 39-13-705, I agree to only use the internet for legitimate purposes and not access any material designed for the arousal of sexual interest in minors under the age of 18. I will not access the Darknet, Darkweb, or other networks that cannot be accessed using traditional browsers or search engines. I further agree not to take any action to conceal or use any program to alter or delete my internet usage and/or browsing history.

While completing a search of the [Defendant]'s cell phone on 02/05/2025 and 02/06/2025, it was discovered the [Defendant] was viewing erotica content on sexstories69.com with topics of tweens, teens, incest, abuse, and rape. On 02/06/2025, it was discovered the [Defendant] attempted to hide his internet activity by deleting these web browser pages, as well as clearing his browser history.

Specialized Probation Conditions for Sex Offenders

Rule #2: I agree to provide to my supervising officer an inventory of capable devices that I use or possess and will update my supervising officer of any changes in that information or inventory immediately.

On 02/06/2025, the [Defendant] stated he no longer had his cell phone due to him busting it the day prior after PPO completed his home visit and search. The cell phone was located in the vehicle that the [Defendant] arrived at the office in and was in working condition as last seen.

Specialized Probation Conditions for Sex Offenders

Rule #3: I agree to allow my supervising officer to search all of my internet-capable devices to ensure compliance with the requirement of only using the internet for legitimate purposes as described above.

On 02/06/2025, the [Defendant] stated he no longer had his cell phone due to him busting it the day prior after PPO completed his home visit and search. The cell phone was located in the vehicle that the [Defendant] rode in and was in working condition as last seen. The [Defendant] attempted to prevent PPO from looking through his phone on this day.

Specialized Probation Conditions for Sex Offenders

Rule #5: If convicted of an offense against a minor, I will not enter into contact with any child under the age of 18 nor will I date, befriend, reside or unite with anyone who has children under the age of 18, except if those children are biologically mine, unless further restricted by applicable law or court order. I will report all incidental contact with children to the treatment provider and my Officer.

On 02/05/2025, PPO discovered the [Defendant] to have multiple photos in his cell phone of himself lying with a young boy approximately around the age of 4 years old. The photos were dated for 01/01/2025 and 01/11/2025. The [Defendant] attempted to delete these photos and were found in his recently deleted. The photos show the [Defendant] to be in a house he wasn't permitted to be in. The [Defendant] was convicted on 11/22/2002 of [a]ggravated [s]exual [b]attery and the victim was a 4-year-old female.

Specialized Probation Conditions for Sex Offenders

Rule #15: I agree to a search, without a warrant, of my person, vehicle, property or place of residence by any Probation Officer or law enforcement officer at any time[.]

On 02/06/2025, the [Defendant] refused access to his personal cell phone by stating to PPO that he busted it after his home visit/search on 02/05/2025. The [Defendant] stated he busted his phone so that PPO couldn't look through it anymore. The [Defendant] stated it was his personal device and that his Probation Officer shouldn't be able to look through it. PPO then located the [Defendant]'s working cell phone in the vehicle he was brought to the office in. PPO discovered the [Defendant] cleared his search history, deleted photos, and cleared open browser tabs on sexstories69.com about tweens and incest.

On September 29, 2025, the trial court held a hearing concerning both the Defendant's guilty plea and probation revocation. First, the Defendant entered a guilty

plea to violation of the sexual offender registry by “knowingly fail[ing] to timely disclose[,] within three days, [having] two social media accounts, specifically two Gmail accounts, to the designated law enforcement agency.”¹ The trial court explained that this is a Class E felony and sentenced the Defendant to serve “two years at [thirty] percent, suspended to serve 180 days in jail on this, \$350 fine plus costs. This is consecution to your probation.”

Next, the trial court addressed the Defendant’s probation violation. The Defendant agreed that by pleading guilty to violating the sex offender registry, a felony offense, he violated the terms of his probation. Defense counsel also attempted to clarify the allegation that the Defendant tested positive for “a number of substances” and the following exchange occurred:

[DEFENSE]: Your Honor, there were a number of substances that he was accused of testing positive for. He had an incident and he had to go to the hospital --

THE COURT: Ecstasy, and MDMA and morphine. That’s the least of his worries. He just pled to a felony, that’s going to violate his probation even if I didn’t even consider the meth charges -- I mean, the positive drug test. He pled to a felony.

[DEFENSE]: Yes, Your Honor. Everything else that was on that drug screen was administered at the hospital or it wasn’t confirmed when they sent it so it should just be the meth.

THE COURT: Don’t know if the hospital tests everything or not. I don’t know.

[DEFENSE]: Not at the hospital but --

THE COURT: But this Abbott Laboratories says that it is. So I don’t know, but, you know, even if I’m not even considering the positive drug test, he pled to a felony. That violates his probation.

[DEFENSE]: Yes, Your Honor.

¹ The Defendant was also charged with six other counts of violation of the sex offender registry including: perjury for “[making] a false statement under oath but in a declaration of a [Tennessee Bureau of Investigation] sexual registration form”; violation of the sexual offender registry by being on TikTok; violation of the sexual offender registry by being on Facebook; violation of the sexual offender registry by being on Facebook Messenger; and two counts of violation of the sexual offender registry by “failing to disclose the required information.” The State dismissed these charges.

THE COURT: So you can't plead to a felony and not violate your probation. It's a big deal to plead to a felony.

The trial court found that the Defendant violated the conditions of his probation by entering a guilty plea to a felony offense and revoked his probation. The trial court ordered that "the six year[] [sentence] is reinstated, you get credit for all the time you've served." When defense counsel asked if the court would consider allowing the Defendant to go to a substance abuse treatment program in light of the positive drug tests, the trial court stated,

THE COURT: He was -- it's a bad case. He had six years. He was involved with abuse of a corpse and --

[DEFENSE]: Which was also drug related, Your Honor.

THE COURT: Huh?

[DEFENSE]: Which was also drug related.

THE COURT: And then he has all of these rules with sexual offender registry and he got all these -- they withdrew all of those except for one. He got a break on that so --

[DEFENSE]: If we can find --

THE COURT: -- if the department of corrections -- if he wants to go to the department of corrections, they've got programs.

[DEFENSE]: So if he can get into a program that is TDOC approved for sex offenders the Court will still --

THE COURT: No, I'm talking about in prison, if he wants to go to prison and get a program.

[DEFENSE]: I'm talking about not in prison though, Your Honor.

THE COURT: No, I'm not -- no, he pled to a felony. I can't start that. If you plead to a felony that violates probation. That's just the way it's got to be. Otherwise, people commit felonies and it's like no big deal. It's a big deal. He pled to a felony and he's lucky they withdrew six. They withdrew six of them. So he'll be in custody. If he's good in jail they give 20 percent

credits here off of his sentence. He gets credit for all the time he's served on those others. They go all the way back to 2021 so he's got a lot of time probably built on those but you pled to a felony. That's it. I mean, that's just the rule.

The trial court subsequently issued its judgment which stated: "Probation violated, sentence reinstated 100%, credit time served." A mittimus to jail after verdict was also issued which stated that the Defendant had been found guilty of violating probation and that the court sentenced him to six years with release eligibility at 100 percent. The Defendant timely appealed to this court.

ANALYSIS

On appeal, the Defendant argues that (1) the trial court violated his due process rights by "failing to provide a neutral and detached hearing body and applying a blanket policy of total revocation;" (2) the trial court imposed an illegal sentence by increasing his release eligibility percentage from sixty percent to one hundred percent via a judge-signed mittimus; and (3) the trial court failed to properly adhere to the two-step consideration for probation revocation because it "offered no sufficient findings to justify the imposition of the harshest possible consequence—execution of the full six-year sentence." In response, the State contends that nothing in the record supports the Defendant's claim that the trial court failed to provide a neutral and detached hearing body when it determined to revoke the Defendant's probation. Further, the State argues that because the mittimus is not the judgment of the court, it does not affect the Defendant's sentence. Lastly, the State argues that the trial court made the requisite findings before it properly exercised its discretion and ordered the Defendant to serve his sentence in confinement.

I. Neutral and Detached Body. First, the Defendant argues that the trial court violated his due process rights by "failing to provide a neutral and detached hearing body." Specifically, the Defendant contends that the trial court "applied a self-imposed 'rule' that predetermined the outcome before the defense could fully present its case for alternative sentencing."

Revocations of probation are not part of a criminal prosecution, and thus, the full panoply of rights due a defendant in such a proceeding does not apply to probation revocations. Morrissey v. Brewer, 408 U.S. 471, 489 (1972) ("there is no thought to equate . . . [a] parole revocation to a criminal prosecution in any sense"); Gagnon v. Scarpelli, 411 U.S. 778, 782 (1973) ("Probation revocation, like parole revocation, is not a stage of a criminal prosecution . . ."). Although the revocation of probation is not a part of the criminal prosecution, the loss of liberty entailed is a serious deprivation that requires the

probationer to be accorded due process. Gagnon, 411 U.S. at 781. The minimum requirements of due process include:

(a) written notice of the claimed violations of (probation or) parole; (b) disclosure to the (probationer or) parolee of evidence against him; (c) opportunity to be heard in person and to present witnesses and documentary evidence; (d) the right to confront and cross-examine adverse witnesses (unless the hearing officer specifically finds good cause for not allowing confrontation); (e) a '*neutral and detached*' hearing body such as a traditional parole board, members of which need not be judicial officers or lawyers; and (f) a written statement by the factfinders as to the evidence relied on and reasons for revoking (probation or) parole.

Id. at 786 (quoting Morrissey, 408 U.S. at 488-89) (emphasis added).

Here, the Defendant contends that he was denied a neutral and detached hearing body because the trial court "applied a blanket policy rather than individualized judgment" by treating his guilty plea to a felony offense while on probation as requiring full revocation of probation and service of his sentence in confinement. He argues that the trial court had "predetermined the outcome" of his probation revocation "before the defense could fully present its case for alternative sentencing." We disagree.

The record reflects that the trial court properly considered the Defendant's guilty plea to a felony offense while on probation and concluded that the plea constituted a violation of that probation. See Tenn. Code Ann. § 40-35-311(d)(1), (e)(2). The trial court's statement that the Defendant's guilty plea "violates his probation" and that "that's just the rule" is reasonably understood in this context as referring to the trial court's determination that pleading guilty to a new felony while on probation constituted a violation, not as establishing a categorical rule that the violation required full revocation and service of the underlying sentence. Thus, this statement alone does not demonstrate a failure to exercise "individualized judgment"; rather, it reflects the trial court's "conscientious and intelligent judgment" that the Defendant's admitted conduct constituted a probation violation. See State v. Harkins, 811 S.W.2d 79, 82 (Tenn. 1991) ("The proof of a probation violation need not be established beyond a reasonable doubt, but it is sufficient if it allows the trial judge to make a conscientious and intelligent judgment."); Stamps v. State, 614 S.W.2d 71, 73 (Tenn. Crim. App. 1980) ("The evidence need only show the trial judge has exercised conscientious judgment in making the decision rather than acting arbitrarily.").

We recognize that the trial court later failed to sufficiently articulate its reasoning for the consequence imposed, as discussed more fully below. That deficiency, however,

does not establish that the trial court failed to provide a neutral and detached hearing body when making its consequence determination. Nothing in the record demonstrates that the trial court was biased, had predetermined the outcome, or applied a “blanket policy” requiring revocation of probation and service of the remaining sentence in every case involving a guilty plea to a new felony, without consideration of the Defendant’s individual circumstances. Unlike cases in which this court has held that a trial court’s neutrality was compromised by its reliance on information obtained outside the adversarial proceeding or by its prior involvement in the defendant’s case, the record here contains no comparable evidence of prejudgment, improper involvement, or other circumstances that would call the trial court’s neutrality or detachment into question. See State v. Stewart, No. M2008-00474-CCA-R3-CD, 2008 WL 4467179, at *3-4 (Tenn. Crim. App. Oct. 6, 2008) (requiring a new revocation hearing before a different judge where the court relied on a drug court team’s recommendation concerning the defendant’s revocation and sentence); State v. Stewart, No. W2009-00980-CCA-R3-CD, 2010 WL 3293920, at *7-8 (Tenn. Crim. App. Aug. 18, 2010) (requiring a different judge to conduct the revocation hearing where the original judge’s extensive participation in the drug court proceedings compromised the appearance of neutrality). Accordingly, the record does not establish that the Defendant was denied a neutral and detached hearing body required by due process. He is not entitled to relief on this issue.

II. Mittimus. Next, the Defendant asserts that the trial court “entered an illegal sentence” by increasing his release eligibility from the sixty percent, as specified in the original judgment, to one hundred percent, as reflected in the mittimus. The State argues that the mittimus issued does not affect the Defendant’s sentence and is void to the extent that it deviates from the judgment. We agree with the State.

After determining the Defendant had committed a new felony offense while on probation, the trial court was authorized to revoke probation and require the Defendant “to commence the execution of the judgment as originally entered.” Tenn. Code Ann. § 40-35-311(e)(2). The trial court stated at the revocation hearing that the sentence was “reinstated.” The judgment in the record shows that the Defendant’s release eligibility was set at sixty percent. However, the mittimus entered after the probation violation hearing reflects a one hundred percent release eligibility date.

“A mittimus functions as the procedural mechanism through which a judgment is put into effect.” State v. Koontz, No. E2025-01042-CCA-R3-CD, 2026 WL 1741395, at *2 (Tenn. Crim. App. June 17, 2026). As this court has explained, “A mittimus is similar to an execution after judgment in a civil case. It is the means by which the judgment of the court is carried out.” Id. (quoting Richmond v. Barksdale, 688 S.W.2d 86, 88 (Tenn. Ct. App. 1984)). The Tennessee Code requires the filing and maintenance of the “mittimus or process by which any prisoner is committed or discharged from jail” or an attested copy

thereof. Tenn. Code Ann. § 41-4-106. A mittimus constitutes an “affidavit[] to the sheriff or jailer as to the defendant’s sentence,” and is “essentially directory in nature.” Koontz, 2026 WL 1741395, at *2 (quoting Carr v. Mills, No. E2000-00156-CCA-R3-PC, 2000 WL 1520267, at *1 (Tenn. Crim. App. Oct. 13, 2000)). “The purpose of the mittimus is to tell the sheriff, who was not a party to the suit that produced the judgment, who[m] he is to take into custody, why he is to take him, where he is to take him, and for how long.” Richmond, 688 S.W.2d at 88. The mittimus, itself, however, does not constitute a judgment. State v. Lawson, No. E2021-00664-CCA-R3-CD, 2022 WL 3592675, at *9 (Tenn. Crim. App. Aug. 23, 2022) (citing Taylor v. State, No. W2003-02198-CCA-R3-PC, 2005 WL 578825, at *3 (Tenn. Crim. App. Mar. 11, 2005); Carr, 2000 WL 1520267, at *1).

This case is materially indistinguishable from Koontz, 2026 WL 1741395, at *1-3. There, as here, the judgment reflected a particular release eligibility classification, while the subsequently issued mittimus contained a conflicting release eligibility notation. The Koontz court held that the judgment controls because a mittimus is merely a ministerial document implementing the court’s judgment and cannot alter the sentence imposed by that judgment. Critically, the defendant in Koontz, like the Defendant here, attempted to distinguish Lawson on the ground that the mittimus in his case bore the trial judge’s signature which “transforms the notation from a clerical mistake into a substantive judicial order that directly contradicts the original judgments.” The Koontz court rejected that distinction, explaining:

Although Lawson observed the mittimus in that case bore only the clerk’s signature, the disposition in Lawson did not turn on that detail. The reasoning instead relied on the distinction between a judgment and a mittimus: the former indicates the court’s adjudication, and the latter merely communicates that adjudication to the local custodian; a signature on a mittimus does not create a material difference. The mittimus here does not override or amend Defendant’s judgment of conviction, and the notation (“100% R.E.D.”) on this mittimus has no operative effect.

Koontz, 2026 WL 1741395, at *2.

The same reasoning applies here. The original judgment establishes the Defendant’s sixty percent release eligibility, and nothing in the record demonstrates that the trial court orally resentenced the Defendant or otherwise modified that classification. Accordingly, just as in Koontz, the conflicting notation on the mittimus cannot override the judgment and, to the extent it purports to do so, is void and has no operative effect.

Because the judgment form reflects a sixty percent release eligibility, and because the mittimus cannot alter the judgment, the Defendant is not entitled to relief.²

III. Probation Revocation. Lastly, the Defendant argues that the trial court failed to properly adhere to the two-step consideration for probation revocation because it “offered no sufficient findings to justify the imposition of the harshest possible consequence—execution of the full six-year sentence.” In response, the State contends the trial court made the requisite findings before it properly exercised its discretion and ordered the Defendant to serve his sentence in confinement. We agree with the Defendant that the trial court failed to articulate its findings concerning the consequence imposed for the revocation, which precludes meaningful appellate review.

Appellate courts review a trial court’s revocation of a defendant’s probationary sentence under an abuse of discretion standard with a presumption of reasonableness, “so long as the trial court places sufficient findings and the reasons for its decisions as to the revocation and the consequence on the record.” Dagnan, 641 S.W.3d at 759. “It is not necessary for the trial court’s findings to be particularly lengthy or detailed but only sufficient for the appellate court to conduct a meaningful review of the revocation decision.” Id. (citing State v. Bise, 380 S.W.3d 682, 705-06 (Tenn. 2012)). Sufficient findings serve “to promote meaningful appellate review and public confidence in the integrity and fairness of our judiciary.” Id. (quoting State v. King, 432 S.W.3d 316, 322 (Tenn. 2014)). However, if the trial court fails to place such reasoning on the record, “the appellate court may conduct a de novo review if the record is sufficiently developed for the court to do so, or the appellate court may remand the case to the trial court to make such findings.” Id. (citing King, 432 S.W.3d at 327-28).

“If the trial judge finds by a preponderance of the evidence that the defendant has violated the conditions of probation and suspension of sentence, then the court may revoke the defendant’s probation and suspension of sentence, in full or in part, pursuant to § 40-35-310.” Tenn. Code Ann. § 40-35-311(d)(1). Probation revocation rests within the sound discretion of the trial court, and this court will not disturb the trial court’s ruling absent an abuse of that discretion. State v. Shaffer, 45 S.W.3d 553, 554-55 (Tenn. 2001) (citing Harkins, 811 S.W.2d at 82). Once the trial court decides to revoke a defendant’s probation, it may:

- (1) order incarceration for some period of time; (2) cause execution of the sentence as it was originally entered; (3) extend the defendant’s probationary

² We observe that the trial judge in Koontz is the same trial judge in this case. Although we conclude that the discrepancy between the release eligibility date reflected in the judgment and that reflected in the mittimus does not constitute error, it is best practice for the mittimus to reflect the same release eligibility date stated in the final judgment. Doing so avoids unnecessary confusion for the parties.

period not exceeding one year; (4) return the defendant to probation on appropriate modified conditions; or (5) resentence the defendant for [the] remainder of the unexpired term to a sentence of probation. See T.C.A. §§ 40-35-308(c)(1), (2); -310; - 311(e)(1), (2) (2021).

State v. Conner, No. M2024-00778-CCA-R3-CD, 2025 WL 1166508, at *3 (Tenn. Crim. App. Apr. 22, 2025) (quoting State v. Williams, 673 S.W.3d 255, 259 (Tenn. Crim. App. 2023)).

“[P]robation revocation is a two-step consideration on the part of the trial court.” Dagnan, 641 S.W.3d at 757. First, the trial court must determine whether to revoke probation. Id. Second, the trial court is to determine the appropriate consequence to impose upon revocation. Id. While a trial court is required to conduct a probation revocation hearing pursuant to Tennessee Code Annotated section 40-35-311(b), this two-step consideration does not obligate the trial court “to hold an additional or separate hearing to determine the appropriate consequence.” Id. Importantly, these are “two distinct discretionary decisions, both of which must be reviewed and addressed on appeal.” Id. at 757-58. “Simply recognizing that sufficient evidence existed to find that a violation occurred does not satisfy this burden.” Id. at 758.

In considering the appropriate consequence to impose upon revocation, a trial court may consider, but is not limited to, the following: the number of revocations, the seriousness of the violation, the defendant’s criminal history, and the defendant’s character. Id. at 759 n.5. Consideration of past criminal history is only appropriate in the second part of the two-step analysis. Id.

Here, the trial court found, and the Defendant agreed, that the Defendant violated his probation by pleading guilty to a felony offense. Accordingly, the sole issue presented for review is whether the trial court made sufficient findings on the record to support its consequence determination.

The record reflects that, after the Defendant admitted violating his probation, the trial court gave little explanation for its consequence determination. The trial court stated: “[Y]ou can’t plead to a felony and not violate your probation. It’s a big deal to plead to a felony. So the six-year sentence is reinstated and the two years is consecutive to that.” When the Defendant asked the trial court to consider drug treatment, the trial court rejected the request stating, “If you plead to a felony that violated probation. That’s just the way it’s got to be. Otherwise, people commit felonies and it’s like no big deal. It’s a big deal.” The trial court also characterized the Defendant’s violation as “a bad case” and noted that the Defendant was “lucky” that the State withdrew six of his sex offender registry

violations. It ultimately concluded: “He plead to a felony. That’s it. I mean, that’s just the rule.”

Although the trial court is not required to make lengthy findings on the record, we are unable to conclude that the record before us is sufficient for meaningful appellate review. Because revocation involves two distinct discretionary decisions, we must review and address both. See Dagnan, 641 S.W.3d at 757-58. Here, the trial court mentioned circumstances relevant to a consequence determination, including the seriousness of the Defendant’s criminal conduct and other charges dismissed as part of his plea. Those observations, however, were not accompanied by findings explaining why execution of the sentence, rather than continued supervision or another available consequence, was appropriate for this Defendant. See, e.g., Koontz, 2026 WL 1741395, at *4; see also Dagnan, 641 S.W.3d at 759 n.5; State v. Noel, 729 S.W.3d 315, 326 (Tenn. Crim. App. 2025). Most significantly, the court repeatedly returned to the proposition that a felony plea itself dictated custody. Accordingly, we remand for the limited purpose of conducting a hearing and placing on the record the post-conviction court’s findings and reasoning supporting its decision to order the Defendant to serve his sentence in the Tennessee Department of Correction.

CONCLUSION

Based on the above reasoning and authority, we affirm the trial court’s revocation of the Defendant’s probation but remand for the trial court to make findings concerning the consequence imposed for the revocation of probation.

s/ *Camille R. McMullen*

CAMILLE R. MCMULLEN, JUDGE