

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE

Assigned on Briefs July 15, 2026

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Clerk of the
Appellate Courts

**STATE OF TENNESSEE v. CHAZIAH JIBRIL WOODS AND RONNIE
DALE SIMS, JR.**

Appeal from the Criminal Court for Davidson County
No. 2020-B-885 Steve R. Dozier, Judge

No. M2025-00751-CCA-R3-CD

A Davidson County jury convicted both Chaziah Jibril Woods and Ronnie Dale Sims, Jr. of first degree felony murder (Count 1), first degree premeditated murder (Count 2), attempted first degree murder (Count 3), three counts of employment of a firearm during the commission of or attempt to commit a dangerous felony (Counts 4, 7, and 9), attempted especially aggravated robbery (Count 5), and two counts of especially aggravated burglary (Counts 6 and 8). At sentencing, the trial court imposed an effective sentence of life imprisonment plus twenty-two years for Woods and an effective sentence of life imprisonment plus twenty-five years for Sims. Thereafter, Woods and Sims filed appeals, and their appeals were consolidated for appellate review. Woods argues on appeal: (1) the evidence is insufficient to sustain his convictions; (2) the trial court erred in denying his motion to sever his trial from Sims's trial; (3) the trial court erred in admitting testimony from the substitute DNA analyst; (4) the trial court erred in admitting DNA evidence; (5) the trial court erred in admitting digital and message evidence; (6) the trial court erred in admitting exhibits and evidence against Woods that included communications, records, and contextual proof from Sims's cell phone; (7) the trial court erred in instructing the jury on criminal responsibility and mere presence; (8) the trial court erred in admitting photographs and evidence depicting the victim's gunshot wounds and post-mortem conditions; (9) the trial court imposed an excessive sentence; and (10) the cumulative effect of these errors entitles him to a new trial. Sims contends on appeal: (1) the evidence is insufficient to sustain his convictions; (2) the trial court erred in admitting the call detail records from T-Mobile; and (3) the trial court violated his right of confrontation and his right to a fair trial when it allowed the State to present DNA evidence through a substitute witness, rather than through the original DNA testing analyst. After review, we affirm the judgments of the trial court but remand for entry of corrected judgments in Count 1 and Count 2 for both Woods and Sims.

**Tenn R. App. P. 3 Appeal as of Right; Judgments of the Criminal Court Affirmed
and Remanded for Entry of Corrected Judgments**

CAMILLE R. McMULLEN, J., delivered the opinion of the court, in which JILL BARTEE AYERS and TOM GREENHOLTZ, JJ., joined.

Spencer Mearl Hassler, Nashville, Tennessee, for the appellant, Chaziah Jibril Woods.

Nathan Cate, Nashville, Tennessee, for the appellant, Ronnie Dale Sims, Jr.

Jonathan Skrmetti, Attorney General and Reporter; Elizabeth Evan, Assistant Attorney General; Glenn R. Funk, District Attorney General; and J. Wesley King and Derek Blakely, Assistant District Attorneys General, for the appellee, State of Tennessee.

OPINION

In May 2020, the Davidson County Grand Jury jointly indicted Woods and Sims¹ for first degree felony murder (Count 1), first degree premeditated murder (Count 2), attempted first degree murder (Count 3), three counts of employment of a firearm during the commission of or attempt to commit a dangerous felony (Counts 4, 7, and 9), attempted especially aggravated robbery (Count 5), and two counts of especially aggravated burglary (Counts 6 and 8).

Prior to trial, Woods filed numerous motions. First, he filed a motion to suppress his statements to law enforcement and to suppress any evidence gathered as a result of his statements. The trial court, after determining that the admonition of Miranda rights to Woods was defective and incomplete, granted the motion to suppress his statements from the initial and follow-up interviews with law enforcement. Woods also filed a motion to deem inadmissible any testimonial statement offered by the State of a codefendant that implicated him in a joint trial, regardless of whether the jury was instructed that it could only use and consider the codefendant's statements against him under Bruton v. United States, 391 U.S. 123 (1968). Woods then filed a motion to sever his trial from codefendant Sims's trial. Next, he filed a motion in limine to exclude "pictures of the deceased taken during the autopsy and certain pictures taken of the investigative crime scene because the prejudicial effect of the gruesome nature of the pictures substantially outweigh[ed] the probative value that they may provide" and to exclude "life in being evidence . . . and the pictures deriving from that evidence." Woods also filed a motion in limine to exclude "evidence related to any items pertaining to social media of any parties related to this matter and/or any of the [S]tate's witnesses" and "to exclude evidence pursuant to the principles of authentication and chain of custody under the Tennessee Rules of Evidence. Woods

¹ Keimichael Lemont Clack, Ajah Kachima Miles, and Logan Dashay Sadler were also charged with various counts in this indictment.

later filed a motion in limine “to exclude and deem inadmissible cell phone records” belonging to him “pursuant to Rule 901 and 902 of the Tennessee Rules of Evidence.” Lastly, Woods filed a motion to suppress “the search warrant, affidavit in support of the search warrant, the DNA sample taken [from him], and any of the forensic analysis from the search” as “fruit of the poisonous tree,” given that the trial court had suppressed all the statements Woods gave to a detective during his June 15, 2022 interview. Significantly, no hearing transcripts on Woods’s motions and no orders on these motions, other than the trial court’s order granting the motion to suppress his statements to law enforcement, were included in the appellate record.

Sims also filed several motions. He filed a motion to suppress “all evidence derived from the search of his [T-Mobile] cell phone records,” claiming that the search warrants did “not contain a nexus between the items to be searched and probable cause.” The trial court determined that although there was “a nexus between the phones and the alleged crime” in the search warrant, “there [wa]s no stated connection [between] the number ending in [-]2311 and any of the recovered phones.” The court also concluded that the search warrant “did not specify how the retrieved data was expected to assist the investigation. As a result, the trial court granted Sims’s motion to suppress. Sims also filed a second, unsigned motion to suppress “all evidence derived from the search of his cell phone.” In addition, Sims filed a motion in limine and a supplemental motion in limine under Tennessee Rules of Evidence 803(6) and 902(11) “to exclude all cell phone related data” that was “not supported by certifications in compliance with the Tennessee Rules of Evidence. However, no hearing transcripts from Sims’s motions and no orders on these motions, other than the trial court’s order granting the motion to suppress the evidence from the search of the T-Mobile cell phone records, were included in the appellate record.

Joint Trial. At the joint trial,² the State presented evidence that Defendant Woods and Defendant Sims murdered Rashawn Wallace and seriously injured Roger Wallace³ as the defendants attempted to steal drugs and money from the victims.⁴

Roger Wallace testified that on October 11, 2019, he lived at 4946A Buena Vista Pike in Nashville. At the time, Roger’s eighteen-year-old son, Rashawn Wallace, was staying with him. He said that in the early morning hours on October 11, 2019, a woman

² We have included a summary of only the trial proof relevant to the issues raised on appeal.

³ Because these victims share the same last name, we will refer to them by their first names throughout this opinion, and we mean no disrespect in doing so.

⁴ Although we have carefully reviewed the trial transcript in its entirety, we have opted not to summarize the substantial proof presented at trial against Sims and Woods because both defendants waived appellate consideration of their claim that the evidence was insufficient to sustain their convictions.

named Logan Sadler contacted him and asked if she and “her sister” could come to his home “to smoke some weed.” Roger agreed, and shortly thereafter, Sadler and Ajah Miles arrived, and Roger introduced them to his son, Rashawn, who was in the living room. After talking for a while, Roger, Sadler, and Miles went to a convenience store. During this trip, Roger noted that Sadler was sending numerous texts. After leaving the store, Roger, Sadler, and Miles acquired some marijuana before returning to the Wallace home and his bedroom. Roger recalled asking Sadler who she was texting so much when they returned to his home. A short time later, Miles went out to her car to get a “Black and Mild” and Logan’s phone charger. Roger walked Miles out and told Rashawn to let Miles back in a few moments and to lock the door. After returning to his bedroom, Roger looked out his window and saw that the brake lights on Miles’s car were on. He asked Sadler if Miles was planning to leave her there. Roger confirmed that although he saw Miles’s brake lights, he did not see Miles drive away from his home.

Roger stated that he was talking to Sadler when he heard his front door kicked in and heard approximately six gunshots. Roger jumped up, grabbed his 9-millimeter handgun, and when he stuck his head out of his room, he saw his son and an unknown man in the living room, who was trying to hide in the corner. Roger exited his bedroom and saw the first man hiding in the corner, a second man in a blue hoodie who was heading toward that corner, and a third man in “dreads.” Roger fired two shots at the man in the blue hoodie, although he was unsure whether these bullets hit him. Roger affirmed that he saw a total of three men in his living room, other than his son, during this incident. He said the first man took off running, and the second man started shooting at him, which caused him to retreat into his bedroom. In an attempt to help his son, who was still in the living room, Roger came back out of his bedroom and fired several rounds from his gun. He followed the men to the door and then “heard [his] son take his last breath,” so he turned toward him, and he immediately heard another gunshot, which hit Roger in his hip. Roger fell backward, and when he heard Sadler say she needed to get out of there, he pointed his gun at her and told her she was not going to leave. Sadler began looking at the front door, and when Roger turned in that direction, he saw one of the men trying to re-enter the home, and Roger fired his last round at him, and the man ran from his home. When he looked out the front door, Roger saw one man running in one direction and another man running down his driveway. Roger said he fired his gun a total of ten times. As he observed one of the men running up the hill, he also saw Miles’s car “inching up” that hill. Roger later threw his gun outside the home, got his front door closed, locked the door, and kept Sadler from leaving through his rear door. Roger also called 9-1-1.

Detective Zachary Ronan testified that when he arrived at the scene shortly after the shooting, he saw one man coming from the front of Roger Wallace’s home and heading south. He noted that this man fled around the Wallace home. Detective Ronan put a description of this man out on the radio, and a short time later, dispatch received a call

about a man running through the backyard of a home nearby. A short time later, officers were able to detain this man, who was later identified as Keimichael Clack.

When Detective Ronan entered the Wallace home, he saw that Roger was on the ground with a gunshot wound to his leg and that Rashawn was deceased on the couch after sustaining multiple gunshot wounds. He also noted that a woman named Logan Sadler was inside the Wallace home. He said that Sadler was detained and was eventually interviewed. Detective Ronan helped search the Wallace home, noting that a purse with a firearm was found in one of the bedrooms. He said he did not see a black sedan driving away from the Wallace home when he arrived on the scene.

Michael Bosillo, the custodian of T-Mobile records, testified that the State had asked T-Mobile to provide cell records for cell phone number 276-885-2311, which was assigned to Ronnie Sims. He identified certain records as T-Mobile records for the phone number ending in -2311. He confirmed that these records, which covered a period from October 7, 2019, to October 12, 2019, were originally provided to Detective Truitt in July 2020.

On cross-examination, Bosillo affirmed that the records he identified on direct examination were not the original records because the originals had been “lost and purged by T-Mobile” after a time because a preservation letter had not been sent. He agreed that the records he identified looked like T-Mobile records, but they were not records T-Mobile currently had in their possession. Bosillo asserted that the records he identified were the true and accurate records provided to Detective Truitt in 2020.

Officer John Petriello testified that after Detective Ronan radioed that a suspect had run behind the Wallace home, he and other officers set up a perimeter to try to find this suspect. As they were setting up the perimeter, they heard dispatch put out a call for service because a homeowner in a neighborhood near Trumpet Circle had seen a man running through their backyard. Officer Petriello responded to this address near Trumpet Circle and encountered the man matching the description given by dispatch, who was later identified as Keimichael Clack. After taking Clack into custody, Officer Petriello noticed footprints in the dew nearby, which led other officers to follow these footprints.

Officer Charles Duke testified that he assisted Officer Petriello in detaining Clack. He observed the footprints in the dew near Clack and traced these footprints to a truck parked in the driveway of a nearby house. A wadded-up hoodie that appeared to have blood stains on it was found in the bed of this truck. Officer Duke said that Clack was ultimately transported to the north precinct to be interviewed. On cross-examination, Officer Duke said that he did not recall Clack being injured when he detained him.

Dr. David Zimmerman, the medical examiner who performed Rashawn Wallace's autopsy in this case, testified that Rashawn sustained nine gunshot wounds to various areas of his body, including a wound to his head. He recovered two bullets during the autopsy, which he provided to law enforcement. Dr. Zimmerman opined that the victim's cause of death was multiple gunshot wounds and that the victim's manner of death was homicide.

On cross-examination, Dr. Zimmerman admitted that he could not tell how many guns caused the gunshot injuries to the victim. He said he was unable to determine the caliber of the rounds that caused these gunshot wounds, despite a general determination that they were of a medium caliber.

Ajah Miles testified that she was charged with murder and other offenses associated with this incident and was currently in custody on these charges. She acknowledged that her case on these charges was still open and pending. Miles stated that on October 11, 2019, she had been with Logan Sadler, Ronnie Sims, Keimichael Clack, and Chaziah Woods, who was her boyfriend at the time. Miles stated that she often called Woods "Chassy" and often referred to Sims as "Fifty-Two Hunnid."

Miles said that at some point that night, Sadler got out of Miles's car at a hotel, claiming that a guy owed her money. Clack and Sims exited the car with her, which left just Miles and Woods in the car. Miles told Woods that he needed to go to work, and Woods asked her to open the vehicle's trunk and to light a "Black and Mild" for him, which she did. She said Woods exited the car, walked around to the trunk, took off his jean jacket, and then put on "a black hoodie and changed his shoes" to some "black work boots." Miles observed Sadler, Sims, and Clack "huddled up" in "a little group" while they stared back and forth at the car while Woods changed his clothes. Woods got back into the car and told Miles that he had informed his work that he was not coming in that night. Miles said that when Sadler got back in the car, Sadler was already talking to Roger Wallace on her phone. Sadler asked if she and the girl with her could come to Roger's home, and Roger agreed that was fine and verbally gave her his address. Sadler then quickly waved Sims and Clack back to the car, and they all left the hotel and headed to Roger's home. During the ride, Miles heard Sadler describing the floor plan of Roger's home. Miles noted that earlier that evening, Sims and Clack had said they "wanted to hit a lick" and that they wanted Miles to "set somebody up that [she] knew," although Miles refused. When they were approximately three minutes from Roger's home, Miles realized the people in the car "were going to set up and rob [Roger] Wallace." The plan was for Sadler to go inside Roger's home and then for Clack, Sims, and Woods to go in behind her and rob Roger. Miles asserted that Clack, Sims, and Woods possessed guns inside the car, but she claimed she did not have a gun with her that night. She said Sims had a gun "with the red beam on it," Clack had "some really big gun[,]" Sadler had a "regular sized gun[,]" and Woods had one gun around the same size as Sadler's and a second gun that had "a long clip on it."

Miles said she dropped off Clack, Sims, and Woods approximately two minutes away from Roger's home. She then backed her car in near Roger's window because she planned to leave. Roger met them on the front porch, and the three of them walked inside the home. Miles claimed she went into Roger's home with Sadler because she had to use his bathroom. Before leaving to use the bathroom, Miles observed a younger man on the living room couch as they walked in, and Roger later explained that this man was his son. Miles and Sadler entered Roger's bedroom and talked with him for a few minutes before they decided to go to a convenience store. When they returned from the store, Roger, Sadler, and Miles smoked some marijuana in Roger's bedroom.

Miles stated that Sadler kept saying things that made her uncomfortable about what was going to happen. When Sadler asked for Miles's car keys so she could get her charger, Miles said she was going to get her "Black and Mild" and would get Sadler's charger and bring it back inside. When Miles got in her car, she realized that Woods's phone was on charge inside. She pulled away from Roger's home, began looking through Woods's social media and text messages, and headed in the opposite direction from where she dropped off Clack, Sims, and Woods. Miles then turned her car around to confront Woods, and when she returned to the area near Roger's home, she saw Woods and Sims running toward her on the street. When they got to her car, Woods and Sims banged on the door for her to let them in, and she eventually unlocked her doors so Woods and Sims could get in. Although Miles tried to wait for Sadler and Clack, Sims and Woods told her to "drive, drive." A moment later, Sims informed her that Sadler had gotten shot and that Clack had taken off running as soon as he heard gunshots. Woods then told Miles that he had been shot. Miles panicked and pulled over, and Sims got in the driver's seat. Miles confirmed that Woods had been shot, and Woods told her he wanted to go to the hospital. Sims then drove them to Skyline Hospital. Sims kept talking about getting rid of the guns, and he pulled over just before arriving at the emergency room, exited the car with some guns, and ran toward a field. Miles said she eventually found the entrance to the emergency room and got staff to assist with Woods's injury. She said she was taken into custody at the hospital, and officers seized the black car she was driving. Miles asserted that she was later interviewed by police, but she initially lied, claiming that she and Woods stopped at the side of the road for Woods to use the bathroom, and someone tried to steal their car and shot Woods in the process. She later identified Sims from a lineup. Miles acknowledged that Woods's Instagram name was "52Chassy."

Officer Nicholas McCluskey testified that he was working as a police officer inside the Skyline Emergency Room on October 11, 2019, at approximately 2:45 a.m. when a black sedan, with the driver honking the horn, pulled into the emergency room entrance. When Officer McCluskey exited the hospital, he saw that Miles was driving the black sedan, and he observed Woods in the backseat, who had been shot. Officer McCluskey

later worked with Officer Hill to ensure that the black sedan was towed and that Miles was transported to the precinct to be interviewed.

Crime Scene Investigator Danielle Ward testified that she processed the outside of the Wallace home. She collected three DNA swabs from the blood trail on the front stoop of the home, the four rocks that appeared to be covered in blood, a pistol light with a red laser, a Glock 9-millimeter extended magazine containing five live cartridges, a .40 caliber cartridge case, and six 9-millimeter cartridge cases of varying brands. She stated that Officer Fleak asked her to process a grey hoodie with blood on it found in the Trumpet Circle neighborhood.

Detective Stanley Truitt testified that he was assigned the lead investigator in this case. He stated that Logan Sadler, who was later charged with Rashawn Wallace's homicide, was still on the scene when he arrived. Detective Truitt said that Sadler was taken to the precinct as the investigation continued and that he seized Sadler's phone as evidence. He also saw Keimichael Clack at the precinct. He confirmed that Clack's personal effects were seized from him at the precinct and that Clack was later charged in Rashawn Wallace's homicide. Detective Truitt stated that during his investigation, he went to the Skyline Hospital, where Woods was being treated for his gunshot wound. During the first day of his investigation, he also interacted with Ronnie Sims and Ajah Miles.

Detective Truitt confirmed that he requested T-Mobile call detail records for the phone number 276-885-2311, which was assigned to Ronnie Sims. He stated once T-Mobile provided Sims's call detail records, he submitted these records, along with phone numbers belonging to Logan Sadler, Keimichael Clack, and Ajah Miles, to the Nashville Police Department's Specialized Investigation and Support Unit. He also requested that DNA standards from Woods and Sims be obtained. He asserted that officers collected cell phones belonging to Logan Sadler and Keimichael Clack.

On cross-examination, Detective Truitt said that between Miles's purse and her car, several cell phones were collected. He recalled Miles telling him that one of these phones belonged to Sims. Detective Truitt said that when he showed Miles a photographic lineup, she identified Sims from the lineup and then said, "I'm not going to testify against anyone."

Crime Scene Investigator Douglas Belcher testified that he was at the police department working at 6:30 a.m. on October 11, 2019, when a black Toyota Camry came in to be processed. During the processing of this vehicle, he found a black purse, which contained several cards and a Glock 48 9-millimeter inside the trunk. In addition, he found a brown purse in the front driver's seat of the car, which contained a paper identification for Ajah Miles. In the back pocket of the front passenger seat, he found a ProMag magazine, with a 31-round capacity that did not contain any live rounds, and a driver's

license for Chaziah Woods. In the rear passenger compartment of the vehicle, he found a black mask. Investigator Belcher stated that he collected three cell phones from inside the vehicle, and officers later requested DNA swabs of these cell phones. He noted that a Coolpad cell phone and an unknown brand cell phone were collected from the brown purse in the driver's seat. Investigator Belcher said he swabbed the exterior and interior door handles, the gear shifter, the steering wheel, and a stain on the driver's side center console for DNA. He also collected latent fingerprint evidence from the interior and exterior of the black Camry.

Investigator Belcher said he also assisted in investigating the scene at the Wallace home later that day. He confirmed that fourteen cartridge casings and eleven bullets and fragments were collected from inside the Wallace home. In addition, he said officers collected a purse containing a pistol and some drugs from the floor of the bedroom. Investigator Belcher confirmed that two Motorola cell phones and an iPhone were collected from inside the Wallace home.

Detective Chad High with the Surveillance and Investigative Support Unit was accepted as an expert in the field of call detail record analysis. During his investigation, he was provided with records related to phone numbers belonging to Ronnie Sims and Keimichael Clack. He confirmed that the phone number assigned to Sims was 276-885-2311 and that the phone number assigned to Clack was 615-602-5793. Detective High said Sims's cell phone had contact with the phones belonging to Clack and Sadler around the time of the shooting incident. Specifically, he noted five texts between Sims and Sadler between 2:04 and 2:30 a.m. on October 11, 2019. He was able to use the records associated with Sims's phone number to place Sims's phone near both the Wallace home and Skyline Hospital in the early morning hours of October 11, 2019.

Regarding the phone records associated with Clack's phone number, Detective High said that during the time period from 1:35 a.m. and 3:35 a.m. on October 11, 2019, Clack's cell phone was in the area of the Wallace home. He confirmed that there were some voice calls from Sims's cell phone to Clack's cell phone, including a fifty-three second voice call to Clack's phone at 1:41 a.m. He also said that Clack's phone made four voice calls to Sims's cell phone between 2:35 a.m. and 2:39 a.m. on October 11, 2019.

Detective Thomas Miller, also with the Surveillance and Investigative Support Unit, was accepted as an expert in the field of digital forensics. He stated that although an extraction of a cell phone associated with phone number 931-538-0788 was attempted, no extraction was obtained. In addition, although an extraction of a cell phone associated with 276-885-2311 was attempted, no extraction was obtained. Detective Miller added that although an extraction of a Samsung Galaxy cell phone associated with the number 615-414-3567 was attempted, no extraction was obtained because that cell phone was reset. He

said this meant that the phone was either “brand new” or “had been used and a user had wiped the phone and reset it.” Detective Miller stated that the extraction taken from Clack’s cell phone placed this phone near the Wallace home during the early hours of October 11, 2019.

Detective Miller confirmed that there was an Instagram handle in Clack’s cell phone that had the designation “5200Chazzy” He also stated that Clack’s phone had a contact designated as “52Chazzy” that was associated with phone number of 615-414-3567. He stated that there was a contact on Clack’s phone for “Logan” with a phone number of 615-902-5245 and a Facebook handle of “Logan DeShay Sadler.” In addition, Detective Miller said there was a contact designated as “52nd” with a phone number of 276-885-2311.

Jessica Davis, a forensic scientist at the latent print unit of the Metro Nashville Police Department, was accepted as an expert in the field of fingerprint and latent print analysis. Davis stated that several prints taken from the exterior of the black Toyota Camry belonged to Ajah Miles and that latent prints from the interior front passenger door handle belonged to Logan Sadler. She also stated that latent prints from the interior front driver door, the exterior rear driver door, and the trunk belonged to Chaziah Woods. In addition, she stated that a latent print taken from the interior rear driver door handle belonged to Ronnie Sims.

Julie Ellis, a forensic biology supervisor at the Metro Nashville Police Department, was accepted as an expert in the field of DNA analysis and forensic science. She stated that her lab received multiple items of evidence collected in this case for DNA testing and that Allison Tillsner, another forensic scientist at the department, originally analyzed the evidence. Ellis stated that Tillsner had since moved to the DNA unit of the North Carolina forensic laboratory. Ellis also explained that she was the “technical reviewer” in this case, which meant that she took the same data Tillsner considered and did her own interpretation of this data. She noted that Tillsner drafted the report in this case, and Ellis reviewed what she had written as the technical reviewer.

Ellis asserted that the DNA samples taken from the front stoop of the Wallace home and the two rocks from the home belonged to Chaziah Woods. She also stated that the DNA samples taken from the unknown model cell phone included Woods as the partial major profile. In addition, Ellis said that the DNA samples taken from the pistol light included Ronnie Sims as a partial major profile.

Lisa Whitaker, a forensic scientist in the state crime lab, was accepted as an expert in the field of firearms and tool mark analysis. She confirmed that of the twenty cartridge cases that were submitted to her for analysis, eleven were from a 9-millimeter semiautomatic pistol, and the remaining nine cartridge casings were from a .40 caliber

semiautomatic pistol. She asserted that seven casings were fired by a single unknown 9-millimeter firearm, three casings were fired by a second unknown 9-millimeter firearm, and one casing was fired by a third unknown firearm. Whitaker stated that one unknown .40 caliber firearm was responsible for the nine .40 caliber casings.

Whitaker stated that the two projectiles submitted by the medical examiner from Rashawn Wallace's autopsy were fired from the same unknown .40 caliber firearm. She confirmed that there were a total of four unknown firearms that were fired in this case, including three 9-millimeter semiautomatic pistols and one unknown .40 caliber semiautomatic pistol.

At the conclusion of trial, the jury convicted Woods and Sims as charged. For their convictions for first degree felony murder and first degree premeditated murder in Count 1 and Count 2, the trial court imposed sentences of life imprisonment and merged these convictions for each defendant. The judgment forms for these convictions were entered on April 5, 2024.

Following a bifurcated sentencing hearing, the trial court considered the appropriate sentences for the defendants' remaining convictions and ultimately imposed an effective sentence of life imprisonment plus twenty-two years for Woods and an effective sentence of life imprisonment plus twenty-five years for Sims.

On September 22, 2024, Woods filed a premature, but considered timely, written motion for new trial, alleging in pertinent part: (1) the evidence was insufficient to sustain his convictions; (2) the trial court erred in denying his motion to sever his trial from Sims's trial; (3) the trial court erred in admitting any and all evidence from Sims because Woods was arrested without probable cause; (4) the trial court erred in admitting photographic evidence of the deceased victim; (5) the trial court erred in admitting certain unidentified evidence against Woods at trial; (6) the trial court erred in admitting evidence introduced by the State through its witnesses, including the State's experts and the pathologist; (7) the trial court erred in admitting the DNA evidence related to Woods through the State's expert at trial because this evidence should have been suppressed prior to trial.

On September 26, 2024, the remaining judgment forms for Woods's and Sims's convictions for attempted first degree murder, the three firearm offenses, attempted especially aggravated robbery, and the two especially aggravated burglaries were entered.

On October 18, 2024, Sims timely filed a written motion for new trial, alleging in pertinent part (1) the evidence was insufficient to sustain his convictions, (2) the trial court erred in admitting previously suppressed cell phone records because they were not presented by an appropriate record custodian and because the State sought a new warrant,

which failed to produce any new records; and (3) the trial court erred by admitting DNA evidence absent the expert who conducted the analysis in violation of Sims's constitutional rights.

At the May 1, 2025 hearing on the motion for new trial, both Sims's attorney and Woods's attorney relied on their respective motions, but Woods's attorney argued that the trial court never provided its "analysis or reasoning" regarding the denial of his motion to sever the defendants, despite the fact that he argued the severance issue "vigorously prior to trial." The trial court responded that it did not recall "any proof . . . as to the prejudice." It asserted that it had denied that motion and found no reason "to alter that decision" now. The trial court's minutes, dated May 1, 2025, show that the trial court denied both Woods's and Sims's motions for new trial.

On May 19, 2025, Woods filed a timely notice of appeal. On May 30, 2025, Sims filed a timely notice of appeal. This court later consolidated these appeals for appellate review.

ANALYSIS

I. Woods's Appeal. Woods argues on appeal that: (1) the trial court erred in denying his motion to sever his trial from Sims's trial; (2) the evidence is insufficient to sustain his convictions; (3) the admission of testimony from the substitute DNA analyst violated the Confrontation Clause; (4) the trial court erred in admitting DNA evidence against him; (5) the admission of digital and message evidence from Sims's cell phone violated Tennessee Rules of Evidence 901 and 403; (6) the admission of digital and message evidence from Sims's cell phone violated Tennessee Rule of Criminal Procedure 14; (7) the trial court erred in instructing the jury; (8) the trial court erred in admitting photographs and evidence depicting the victim's wounds and post-mortem condition; (9) the trial court imposed an excessive sentence; and (10) the cumulative effect of these errors entitles him to a new trial.

Before considering these issues on the merits, we will consider the State's claim that Woods's appeal should be dismissed as untimely. The State argues that because there is no evidence in the record that Woods filed a timely, written motion for new trial, as required by Tennessee Rule of Criminal Procedure 33(b), Woods's notice of appeal was untimely, and the interest of justice does not require waiver of the requirement of a timely notice of appeal pursuant to Tennessee Rule of Appellate Procedure 4. However, our review of the record shows that Woods did, in fact, file a lengthy written motion for new trial, albeit prematurely, and that the State never objected to the premature filing of this motion.

Tennessee Rule of Criminal Procedure 33(b) states,

A motion for a new trial shall be in writing or, if made orally in open court, be reduced to writing, within thirty days of the date the order of sentence is entered. The court shall liberally grant motions to amend the motion for new trial until the day of the hearing on the motion for a new trial.

Tenn. R. Crim. P. 33(b) (emphases added). “Rule 33 clearly contemplates that the trial court will conduct the sentencing hearing and enter the uniform judgment order before any motion for new trial is filed[,]” and that “[t]he defense then has thirty days from entry of the judgment order in which to file its motion for new trial.” State v. Hatcher, 310 S.W.3d 788, 799 (Tenn. 2010). It is well established that this strict thirty-day deadline is jurisdictional and may not be lengthened. State v. Dodson, 780 S.W.2d 778, 780 (Tenn. Crim. App. 1989) (stating that Rule 33(b) is “mandatory, and the time for the filing cannot be extended”); see Tenn. R. Crim. P. 45(b)(3) (“The court may not extend the time for taking any action under Rules of Criminal Procedure 29, 33 and 34, except to the extent and under the conditions stated in those rules.”).

The appellate record shows that while the judgment forms for Woods’s convictions for first degree felony murder and first degree premeditated murder were entered on April 5, 2024, the judgment forms for Woods’s remaining convictions, namely for attempted first degree murder, three counts of employment of a firearm, attempted especially aggravated robbery, and two counts of especially aggravated burglary, were entered on September 26, 2024. Because the last of Woods’s judgments were entered on September 26, 2024, he had thirty-days, or until Monday, October 28, 2024, in which to file a timely motion for new trial. See Tenn. R. Crim. P. 45(a)(2); State v. Hatcher, 310 S.W.3d 788, 801 (Tenn. 2010) (“where there is a single trial for felony murder and the underlying felony, and where the sentences are entered on different days, we interpret Rule 33(b) as to require a motion for new trial to be filed within thirty days of the day the last sentence is entered.”); see also State v. Reed, No. E2019-00771-CCA-R3-CD, 2020 WL 5588677, at *7 n.2 (Tenn. Crim. App. Sept. 18, 2020) (“Because Reed’s motion for new trial was filed within thirty days of entry of the aggravated robbery and theft convictions, which were the last sentences entered, we conclude that his motion for new trial was timely as to both the murder convictions and the aggravated robbery and theft convictions. Accordingly, we will consider Reed’s issues on the merits.” (citing State v. Hatcher, 310 S.W.3d 788, 801 (Tenn. 2010))).

Nevertheless, Woods filed his written motion for new trial on September 22, 2024, before the thirty-day period for filing a motion for new trial commenced. See State v.

Siliski, 238 S.W.3d 338, 374 (Tenn. Crim. App. 2007) (considering the issues raised in the defendant’s motion for new trial, even though it was premature, and emphasizing that the State had not raised the issue of the premature filing of the motion on appeal and that the State suffered no prejudice from the court’s consideration of the issues raised in the premature motion). In Woods’s case, the State never objected to the premature filing of Woods’s motion for new trial—in fact, the State erroneously claimed in its brief that Woods failed to file a written motion for new trial at all—and we see no prejudice to the State if we consider the issues raised therein. See id. Accordingly, we conclude that Woods’s motion for new trial was timely filed.

Because the State did not recognize that Woods filed a written motion for new trial, it also erroneously asserted that Woods failed to file a timely notice of appeal. A notice of appeal must be filed within thirty days of the judgment from which the appeal is taken or from the entry of an order denying a motion for new trial. Tenn. R. App. P. 4(a), (c); see State v. Thompson, 285 S.W.3d 840, 852 (Tenn. 2009). However, the appellate court in a criminal case may waive the timely filing of a notice of appeal “in the interest of justice.” Tenn. R. App. P. 4(a). Here, the trial court entered the minutes denying Woods’s motion for new trial on May 1, 2025, and Woods filed his notice of appeal May 19, 2025, eighteen days later. See Tenn. R. App. P. 4(a), (c). Therefore, we also conclude that Woods’s notice of appeal was timely filed, thereby removing the need to determine whether the interest of justice requires waiver of the requirement of a timely notice of appeal in this case. Tenn. R. App. P. 4(a). We will now consider the issues raised by Woods on appeal.

A. Severance. Woods contends that the trial court abused its discretion in denying his motion to sever his trial from Sims’s trial. Woods claims that the joint trial “increased the likelihood that jurors would unfairly associate and unfairly impute conduct evidence [to him].” He also claims that the denial of his severance motion resulted in “unfair prejudice” to him and deprived him of “a fair determination based solely on properly attributable proof.”

Neither the transcript of the severance hearing nor the trial court’s order denying his severance motion is included in the appellate record. The appellant has a duty to prepare a record that conveys “a fair, accurate and complete account of what transpired with respect to those issues that are the bases of appeal.” Tenn. R. App. P. 24(b). “Where . . . the record is incomplete, and does not contain a transcript of the proceedings relevant to an issue presented for review, or portions of the record upon which a party relies, this Court is precluded from considering the issue.” State v. Roberts, 755 S.W.2d 833, 836 (Tenn. Crim. App. 1988) (citing State v. Groseclose, 615 S.W.2d 142, 147 (Tenn. 1981); State v. Jones, 623 S.W.2d 129, 131 (Tenn. Crim. App. 1981)). In that scenario, “we must presume that the trial court’s ruling was supported by the evidence.” State v. Bibbs, 806 S.W.2d 786, 790 (Tenn. Crim. App. 1991) (citing Smith v. State, 584 S.W.2d 811, 812 (Tenn. Crim. App.

1979); Vermilye v. State, 584 S.W.2d 226, 230 (Tenn. Crim. App. 1979)). Here, Woods has failed to include the pertinent portions of the record for the severance issue. Because the record does not contain the materials necessary to evaluate the severance ruling, we presume the trial court's decision to deny his severance motion was proper.

Finally, Woods does not ask this court to review this issue for plain error, even after he was alerted to the State's assertion of waiver in its brief, and we decline to conduct plain error review. See Tenn. R. App. P. 36(b); State v. Reynolds, 635 S.W.3d 893, 931 (Tenn. 2021) (asserting that the defendant bears the burden of establishing entitlement to plain error review); see also State v. Thompson, No. W2022-01535-CCA-R3-CD, 2023 WL 4552193, at *5 (Tenn. Crim. App. July 14, 2023) ("Because the [d]efendant bears the burden of persuasion to show that he is entitled to plain error relief, a defendant's failure to request this relief weighs against any such consideration on our own." (internal quotation marks and citations omitted)). Moreover, because it is apparent that the appellate record does not "clearly establish[] what occurred in the trial court," this court need not consider all the elements of the plain error doctrine. Reynolds, 635 S.W.3d at 931.

B. Sufficiency of Evidence. Woods also argues that the evidence is insufficient to sustain his convictions. Specifically, he claims that to connect him to the charged offenses, the State "relied substantially on inferential attribution evidence," including digital communications between Sims and Woods, alias and street-name references, call-log linkage, and digital association proof. Woods appears to assert that, because the proof presented by the State failed to show that he knowingly participated in the charged offenses, the evidence is insufficient to support his convictions.

However, we note some major deficiencies in Woods's briefing of the sufficiency of the evidence issue. Although Woods states in his separate "Standards of Review" section that "[s]ufficiency of the evidence is reviewed under the Jackson v. Virginia standard," he never elucidates this standard and never provides a citation for this standard of review in the sufficiency portion of his brief. See Jackson v. Virginia, 443 U.S. 307, 319 (1979). In addition, Woods does not identify the elements of the conviction offenses, does not cite to any law supporting his insufficient evidence claims, and provides only a single, thirty-eight page reference to the record. Moreover, Woods never identifies which element of the offense the proof fails to establish and fails to provide any coherent argument or analysis to support his claim that the evidence is insufficient to sustain each of his nine convictions. "Issues which are not supported by argument, citation to authorities, or appropriate references to the record will be treated as waived in this court." Tenn. Ct. Crim. App. R. 10(b). In addition, Tennessee Rule of Appellate Procedure 27 provides that an appellant's brief must contain, among other requirements, a statement of the issues presented for review; a statement of the case, including the nature of the case, the course of proceedings, and the lower court's disposition; a statement of facts, specifying

the facts relevant to the issues presented for review along with appropriate references to the record; a statement of the applicable standard of review; and arguments containing citations to authorities and references to the record. Tenn. R. App. P. 27(a). Failure to comply with these requirements will ordinarily constitute a waiver of the issue. State v. Schaller, 975 S.W.2d 313, 318 (Tenn. Crim. App. 1997) (citing State v. Hammons, 737 S.W.2d 549, 552 (Tenn. Crim. App. 1987)). Accordingly, Woods has waived appellate consideration of this issue. Waiver notwithstanding, we conclude, after carefully reviewing the trial transcript in this case, that the evidence is more than sufficient to sustain each of Woods's convictions. Therefore, he is not entitled to relief on this issue.

C. Substitute DNA Analyst Testimony. Second, Woods asserts that the State's introduction of DNA testing results through Julie Ellis, who was "a reviewing or supervisory analyst," rather than Allison Tillsner, the analyst who originally performed the DNA testing and analysis, violated his rights under the Confrontation Clause. He claims the admission of DNA test results "through a substitute DNA analyst technical reviewer" prevented him from cross-examining the original DNA analyst regarding "the methodology, protocol adherence, contamination controls, and interpretative judgment."

The record shows that although Sims's attorney raised a Confrontation Clause objection at trial to Julie Ellis's potential testimony regarding the DNA results, Woods's attorney never raised a similar Confrontation Clause objection at trial. Relief on appeal is typically not available when a party is "responsible for an error" or has "failed to take whatever action was reasonably available to prevent or nullify the harmful effect of an error." See Tenn. R. App. P. 36(a).

Here, Sims's attorney argued that a DNA test performed by Tillsner was "absolutely testimonial" and "a separate person coming in and testifying to [the DNA results]" would violate his client's rights. The State noted that Julie Ellis was "the supervisor of the DNA unit" and "participated in the [DNA] analysis in this case." Sims's attorney replied that Tillsner did the testing, and Ellis just verified that the appropriate process was followed. The trial court then called for a jury out hearing so that the State could make an offer of proof regarding Ellis's testimony. However, no offer of proof was included in the trial transcript or the appellate record. We reiterate that the appellant has a duty to prepare a record that conveys "a fair, accurate and complete account of what transpired with respect to those issues that are the bases of appeal." Tenn. R. App. P. 24(b). "Where . . . the record is incomplete, and does not contain a transcript of the proceedings relevant to an issue presented for review, or portions of the record upon which a party relies, this Court is precluded from considering the issue." Roberts, 755 S.W.2d at 836 (citing Groseclose, 615 S.W.2d at 147; Jones, 623 S.W.2d at 131). Therefore, "we must presume that the trial court's ruling was supported by the evidence." Bibbs, 806 S.W.2d at 790 (citing Smith,

584 S.W.2d at 812; Vermilye, 584 S.W.2d at 230). Consequently, we conclude that the trial court's decision to allow Ellis to testify was proper.

Lastly, Woods does not ask this court to review this issue for plain error, and we decline to conduct plain error review. See Tenn. R. App. P. 36(b); Reynolds, 635 S.W.3d at 931 (asserting that the defendant bears the burden of establishing entitlement to plain error review); see also Thompson, 2023 WL 4552193, at *5 (“Because the [d]efendant bears the burden of persuasion to show that he is entitled to plain error relief, a defendant's failure to request this relief weighs against any such consideration on our own.” (internal quotation marks and citations omitted)). Moreover, because it is apparent that the appellate record does not “clearly establish[] what occurred in the trial court,” this court need not consider all the elements of the plain error doctrine. Reynolds, 635 S.W.3d at 931.

D. DNA Evidence. Next, Woods argues that the State failed to establish that the warrant for Woods's DNA was supported by a genuinely independent source unconnected to Woods's suppressed custodial statement to law enforcement. He claims that the State failed to prove that the DNA evidence connected to Woods was admissible pursuant to attenuation or inevitable discovery. He claims that because “the DNA evidence introduced at trial was derived from suppressed statements and no exception to the exclusionary rule was established,” the admission of his DNA evidence “was error and requires reversal or, at a minimum, [requires] a new trial without the tainted forensic proof.”

Neither the transcript of the suppression hearing on Woods's statements to law enforcement nor the transcript of the suppression hearing on Woods's DNA is included in the appellate record. Moreover, the trial court's order denying the motion to suppress Woods's DNA is not included in the appellate record. See Tenn. R. App. P. 24(b); Roberts, 755 S.W.2d at 836 (citing Groseclose, 615 S.W.2d at 147; Jones, 623 S.W.2d at 131). Because Woods failed to provide an adequate record on appeal, “we must presume that the trial court's ruling was supported by the evidence.” Bibbs, 806 S.W.2d at 790 (citing Smith, 584 S.W.2d at 812; Vermilye, 584 S.W.2d at 230). Accordingly, we conclude that the trial court's decision to admit the DNA evidence connected to Wood was proper.

Lastly, Woods does not ask this court to review this issue for plain error, and we decline to conduct plain error review. See Tenn. R. App. P. 36(b); Reynolds, 635 S.W.3d at 931; see also Thompson, 2023 WL 4552193, at *5. In addition, because it is apparent that the appellate record does not “clearly establish[] what occurred in the trial court,” this court need not consider all the elements of the plain error doctrine. Reynolds, 635 S.W.3d at 931.

E. Evidence Admitted Pursuant to Rules 901 and 403. Woods argues that the trial court abused its discretion in admitting electronic messages and digital communication

evidence from Sims's cell phone to implicate him at trial. He claims that this evidence was not properly authenticated under Tennessee Rule of Evidence 901, asserting that the supporting witness "did not testify from personal knowledge of authorship and instead relied on account association and investigative linkage rather than direct authorship verification." Woods also claims that admission of this evidence violated Tennessee Rule of Evidence 403 because "the value of the messages, as attributed, was substantially outweighed by the danger of unfair prejudice and misattribution."

Although Woods states in his separate "Standards of Review" section that "[e]videntiary rulings are reviewed for abuse of discretion[.]" he never provides a citation for this standard of review in the argument section of his brief. As a result, he has arguably waived this issue on this basis. See Tenn. Ct. Crim. App. R. 10(b); Tenn. R. App. P. 27(a).

In any case, we conclude that Woods is not entitled to relief. Woods makes only two references to the record in support of this issue, both of which reference the admission of data extracted from Keimichael Clack's phone, rather than data extracted from the cell phone belonging to Ronnie Dale Sims, Jr. Consequently, we conclude that Woods has waived all issues regarding other portions of the record. "Issues which are not supported by argument, citation to authorities, or appropriate references to the record will be treated as waived in this court." See Tenn. Ct. Crim. App. R. 10(b); see also Tenn. R. App. P. 27(a)(7) (A brief 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 and appropriate references to the record . . . relied on."). Failure to comply with this basic rule will ordinarily constitute a waiver of the issue. Schaller, 975 S.W.2d at 318 (citing Hammons, 737 S.W.2d at 552).

We will now consider the issues supported by the two references to the record. In Woods's first reference to the record, Detective Thomas Miller, who was part of the Surveillance and Investigative Support Unit, testified that an extraction of an iPhone 7 cell phone, belonging to Keimichael Clack was completed in this case. Woods's attorney objected to the extraction evidence from Clack's phone on the ground of authentication. At the ensuing bench conference, Woods's attorney argued that an extraction was never completed on Woods's phone and that Detective Miller could not authenticate that any of this electronic data on Clack's phone was connected to Woods. The trial court asked if the State was going to admit Woods's cell phone number into evidence, and the State agreed it would do so in later proof. When the court asked if the State had Woods's phone, the State replied it did not have an extraction of Woods's phone. The State explained that Ajah Miles testified that she had Woods's phone at the time of the incident, and Woods's attorney countered that Miles was "not a cell phone expert." The trial court noted, "Well, it's just a call going to [Woods's] number." The court told Woods's attorney, "You can say it wasn't

Mr. Woods, he didn't have [his cell phone] or whatever you want to say." When Woods's attorney said he did not know, the court reminded him that this was "just circumstantial evidence." Ultimately, the trial court overruled the defense's authentication objection.

In Woods's second reference to the record on this issue, Detective Miller was asked about some of the contact information that was extracted from Keimichael Clack's phone. Detective Miller confirmed that one of the contacts in Clack's phone had a designated name of "5200Chazzy," which was an Instagram handle, and the second contact had the designated name of "52Chazzy," which had an associated phone number of (615)414-3567. Woods's attorney objected "to the authentication of that phone number." The State replied that it was simply asking Detective Miller what the data extraction showed, not whether the phone number belonged to any of the codefendants. The trial court promptly overruled this objection.

Putting aside the fact that the two references to the record referred to Clack's cell phone, rather than Sims's cell phone, we conclude that Woods is bound to the ground of the objection he asserted at trial. See State v. Schiefelbein, 230 S.W.3d 88, 129 (Tenn. Crim. App. 2007) (citing State v. Adkisson, 899 S.W.2d 626, 634-35 (Tenn. Crim. App. 1994); Tenn. R. Evid. 103(a)(1)). In these references to the record, Woods objected only to authentication of the data extracted from Clack's phone. Therefore, Woods has waived any arguments regarding Rule 403, and his argument is limited to the authentication of this evidence under Rule 901.

Initially, we note that "trial courts have broad discretion in determining the admissibility of evidence, and their rulings will not be reversed absent an abuse of that discretion." State v. McLeod, 937 S.W.2d 867, 871 (Tenn. 1996). A trial court is found to have abused its discretion when it applies "an incorrect legal standard or [reaches] a decision which is illogical or unreasonable and causes an injustice to the party complaining." State v. Ruiz, 204 S.W.3d 772, 778 (Tenn. 2006) (citing Howell v. State, 185 S.W.3d 319, 337 (Tenn. 2006)).

"The requirement of authentication or identification as a condition precedent to admissibility is satisfied by evidence sufficient to the court to support a finding by the trier of fact that the matter in question is what its proponent claims." Tenn. R. Evid. 901(a). For tangible evidence, "a witness must be able to identify the evidence or establish an unbroken chain of custody." State v. Kilpatrick, 52 S.W.3d 81, 87 (Tenn. Crim. App. 2000) (citing State v. Goodman, 643 S.W.2d 375, 381 (Tenn. Crim. App. 1982)). The purpose of this requirement is "to demonstrate that there has been no tampering, loss, substitution, or mistake with respect to the evidence." State v. Braden, 867 S.W.2d 750, 759 (Tenn. Crim. App. 1993) (citing Orr v. State, 472 N.E.2d 627, 630 (Ind. App. 1984)). Absolute certainty of identification is not required, however. Kilpatrick, 52 S.W.3d at 87 (citing

Ritter v. State, 462 S.W.2d 247, 250 (Tenn. Crim. App. 1970)). “Reasonable assurance, rather than absolute assurance, is the prerequisite for admission.” Id. “If the proffered evidence is unique, readily identifiable, and relatively resistant to change, the foundation need only consist of testimony confirming its relevance.” State v. Cannon, 254 S.W.3d 287, 309 (Tenn. 2008) (Wade, J., concurring).

Here, Detective Miller identified the evidence as data extracted from Clack’s phone, which included the two contacts for “5200Chazzy” and “52Chazzy.” Although Woods’s attorney objected on the basis that Detective Miller could not authenticate that these two contacts were associated with Woods’s cell phone number, Detective Miller’s testimony was confined to stating that “5200Chazzy” represented an Instagram handle and “52Chazzy” was associated with the phone number of 615-414-3567, but Detective Miller never testified that the aforementioned contacts and phone number belonged to Woods. We believe that Detective Miller’s testimony sufficiently established that he had ample knowledge of the data extraction on Clack’s cell phone to testify that the two contacts for “5200Chazzy” and “52Chazzy” were present on this phone and that “52Chazzy” was associated with the 615-414-3567 phone number. See Tenn. R. Evid. 901(b)(1). Therefore, Woods is not entitled to relief on this issue.

F. Evidence Admitted Pursuant to Tennessee Rule of Criminal Procedure 14.

Woods contends that the trial court violated Tennessee Rule of Criminal Procedure 14 when it admitted “digital communications, call records, and associated exhibits” from Sims’s cell phone, which the jury then considered as “substantive proof” against Woods, “despite disputed authorship and attribution.” Woods claims that the trial court should have adequately restricted the scope of this evidence and should have provided sufficient safeguards for the admission of this evidence.

Notably, Woods references the same portions of the record for this issue as he does in the prior section. However, instead of basing his reasoning on Rules 901 and 403, he relies generally on Tennessee Rule of Criminal Procedure 14, but he cites to no specific subsections of Rule 14 to support his position. The portions of the record referenced by Woods concern the admission of evidence from the extraction of an iPhone 7 cell phone belonging to Keimichael Clack, rather than Sims. Our review of the record shows that Woods never objected to the admission of this evidence at trial pursuant to Rule 14, which means this issue is waived. See Tenn. R. App. P. 36(a) (Relief on appeal is typically not available when a party is “responsible for an error” or has “failed to take whatever action was reasonably available to prevent or nullify the harmful effect of an error.”). Moreover, Woods does not ask this court to review this issue for plain error, and we decline to conduct plain error review. See Tenn. R. App. P. 36(b); Reynolds, 635 S.W.3d at 931; see also Thompson, 2023 WL 4552193, at *5.

G. Jury Instructions. Woods next argues that the jury instructions did not address “attribution” issues and claims that the general criminal responsibility instruction given in this case “did not adequately guard against guilt-by-association reasoning.” He asserts that the instructions given were “insufficiently tailored” and “did not fairly present the defense’s theory,” which “more probably than not affected the verdict.”

Woods has waived this issue on two separate grounds. First, Woods never objected to the jury instructions and never sought special jury instructions. See Tenn. R. App. P. 36(a) (Relief on appeal is typically not available when a party is “responsible for an error” or has “failed to take whatever action was reasonably available to prevent or nullify the harmful effect of an error.”). Second, Woods has failed to cite any authority in support of this issue. “Issues which are not supported by argument, citation to authorities, or appropriate references to the record will be treated as waived in this court.” See Tenn. Ct. Crim. App. R. 10(b); see also Tenn. R. App. P. 27(a)(7) (A brief 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 and appropriate references to the record . . . relied on.”). Lastly, Woods does not ask this court to review this issue for plain error, and we decline to conduct plain error review. See Tenn. R. App. P. 36(b); Reynolds, 635 S.W.3d at 931; see also Thompson, 2023 WL 4552193, at *5.

H. Admission of Autopsy and Injury Photographs. Woods contends that the trial court abused its discretion in admitting “graphic autopsy and injury exhibits depicting the victim’s wounds and post-mortem condition.” He claims that because the cause and manner of death were established through the medical examiner’s testimony and the injuries were described in detail through witness proof, “the additional graphic visual depictions added limited incremental probative value while creating a substantial risk of unfair prejudice.” He also asserts that “the cumulative visual impact exceeded what was reasonably necessary to prove the State’s case.”

Here, the only references to the record include the portion of the trial transcript covering the medical examiner’s testimony, wherein several autopsy and injury photographs were admitted. Based on our review of the record, it appears that Woods’s attorney made no contemporaneous objection to any of the autopsy and injury photographs, so this issue is waived on this basis. See Tenn. R. App. P. 36(a) (Relief on appeal is typically not available when a party is “responsible for an error” or has “failed to take whatever action was reasonably available to prevent or nullify the harmful effect of an error”). Finally, Woods does not ask this court to review this issue for plain error, and we decline to conduct plain error review. See Tenn. R. App. P. 36(b); Reynolds, 635 S.W.3d at 931; see also Thompson, 2023 WL 4552193, at *5.

I. Sentencing. Woods argues that the trial court abused its discretion in applying and weighing certain enhancement factors. He also contends that the trial court erred in imposing a consecutive alignment of his sentences.

Initially, we note that there are three different portions of the brief where Woods clearly intended to include references to the record but ultimately left them blank, stating only “Vol. ___, p. ___.” In fact, Woods includes only one complete reference to the sentencing hearing transcript, and although he claims this part of the record “reflect[ed] disputed factual inferences underlying at least one enhancement factor relied upon by the trial court,” it actually reflects the arguments by Sims’s attorney and Woods’s attorney that the trial court erred in imposing consecutive sentencing. Consequently, we conclude that Woods came perilously close to waiving all sentencing issues based on his insufficient references to the record.

In any case, we conclude that Woods did, in fact, waive his sentencing issues when he failed to include sufficient case law and analysis to support his assertions. While he generally asserts that the trial court erred in the application and weight it gave to certain enhancement factors, he fails to identify the particular enhancement factors at issue and fails to make any specific arguments about how the trial court erred in applying these factors, other than claiming that “the proof did not support the findings relied upon by the court.” In addition, regarding Woods’s claim that the trial court erred in imposing a consecutive alignment of his sentences, he argues that “the statutory criteria were not satisfied” but fails to identify the statutory criteria at issue and fails to provide citations for this sentencing criteria. Accordingly, we conclude that Woods has waived all sentencing issues because of these briefing insufficiencies. See Tenn. Ct. Crim. App. R. 10(b); see also Tenn. R. App. P. 27(a)(7).

J. Cumulative Error. Finally, Woods argues that even if the individual errors identified above are deemed harmless in isolation, their cumulative effect deprived him of a fair trial. He asserts that “the record reflects multiple contested evidentiary rulings, attribution disputes, forensic limitations, joint-trial spillover risks, and instructional adequacy concerns,” and he claims that when these errors are considered together, they “compounded prejudice and undermined confidence in the verdict.”

The cumulative error doctrine recognizes that “there may be multiple errors committed in trial proceedings, each of which in isolation constitutes mere harmless error, but which when aggregated, have a cumulative effect on the proceedings so great as to require reversal in order to preserve a defendant’s right to a fair trial.” State v. Hester, 324 S.W.3d 1, 76 (Tenn. 2010). The cumulative error doctrine only applies when there has been more than one error committed during the trial proceedings. Id. at 77. Because

Woods has not established two or more trial errors subject to aggregation, the cumulative-error doctrine affords no relief.

II. Sims's Appeal. Sims raises three issues on appeal: (1) the evidence is insufficient to sustain his convictions; (2) the trial court erred in admitting the call detail records from T-Mobile; and (3) the trial court violated his right of confrontation and his right to a fair trial when it allowed the State to present DNA evidence through a substitute witness, rather than through the original DNA testing analyst.

A. Sufficiency of the Evidence. Although Sims generally denotes the sufficiency of the evidence as his first issue, he fails to provide the applicable standard of review for sufficiency of the evidence, fails to provide adequate citations to code sections outlining the elements of each of his conviction offenses, fails to provide citations to the applicable law, and fails to provide any coherent argument and analysis as to why he claims the evidence is insufficient to sustain his convictions. The State points only to Sims's failure to provide the applicable standard of review as the reason for waiver. While we agree that Sims waived the sufficiency of the evidence issue, we specifically rely on all the above failures to support Sims's waiver of this issue.

We reiterate that “[i]ssues which are not supported by argument, citation to authorities, or appropriate references to the record will be treated as waived in this court.” Tenn. Ct. Crim. App. R. 10(b). In addition, Tennessee Rule of Appellate Procedure 27 provides that an appellant's brief must contain, among other requirements, a statement of the issues presented for review; a statement of the case, including the nature of the case, the course of proceedings, and the lower court's disposition; a statement of facts, specifying the facts relevant to the issues presented for review along with appropriate references to the record; a statement of the applicable standard of review; and arguments containing citations to authorities and references to the record. Tenn. R. App. P. 27(a). Failure to comply with this basic rule will ordinarily constitute a waiver of the issue. Schaller, 975 S.W.2d at 318 (citing Hammons, 737 S.W.2d at 552). For these reasons, we conclude that Sims has waived appellate consideration of this issue. Despite the waiver, we conclude, after carefully reviewing the trial transcript in this case, that the evidence is more than sufficient to sustain each of Sims's convictions. Accordingly, he is not entitled to relief on this issue.

B. T-Mobile Call Detail Records. Second, Sims contends that the trial court erred in admitting Exhibit 7, the T-Mobile records for the cell phone number registered to him. Specifically, he claims the State failed to show that Exhibit 7, which he describes as the T-Mobile “cell phone related data” previously suppressed by the trial court, was derived from a genuinely “independent source” untainted by the previously suppressed evidence. Sims also contends that the State failed to properly authenticate Exhibit 7 under Rule 901 and

Rules 1003 and 1004, claiming that because T-Mobile had destroyed the detailed call records covered by the State's warrant, the State should not have been allowed to admit the older, suppressed T-Mobile call records. He asserts that that this scenario created a "genuine question" of whether the documents admitted as Exhibit 7 were an accurate copy versus a copy whose "provenance and integrity" were "uncertain."

At trial, at the end of Bosillo's testimony, Sims's attorney approached the bench, stated that he understood "the Court's ruling" but wanted to make a contemporaneous objection to Exhibit 7, renewing his claim that Michael Bosillo could not "properly authenticate" Exhibit 7 "as the record custodian." The trial court replied, "All right. We have dealt with it." Sims's attorney responded that he understood, the bench conference was concluded, and Bosillo was excused as a witness.

Sims included no hearing transcripts and no orders related to this issue in the appellate record, other than the original order granting the motion to suppress the evidence from the search of the T-Mobile cell phone records. Consequently, we agree with the State. We reaffirm that the appellant has a duty to prepare a record that conveys "a fair, accurate and complete account of what transpired with respect to those issues that are the bases of appeal." Tenn. R. App. P. 24(b). "Where . . . the record is incomplete, and does not contain a transcript of the proceedings relevant to an issue presented for review, or portions of the record upon which a party relies, this Court is precluded from considering the issue." Roberts, 755 S.W.2d at 836 (citing Groseclose, 615 S.W.2d at 147; Jones, 623 S.W.2d at 131). Therefore, "we must presume that the trial court's ruling was supported by the evidence." Bibbs, 806 S.W.2d at 790 (citing Smith, 584 S.W.2d at 812; Vermilye, 584 S.W.2d at 230). Consequently, we conclude that the trial court acted within its discretion in admitting Exhibit 7.

Lastly, Sims does not ask this court to review this issue for plain error, and we decline to conduct plain error review. See Tenn. R. App. P. 36(b); Reynolds, 635 S.W.3d at 931; see also Thompson, 2023 WL 4552193, at *5. Moreover, because it is apparent that the appellate record does not "clearly establish[] what occurred in the trial court," this court need not consider all the elements of the plain error doctrine. Reynolds, 635 S.W.3d at 931.

C. Admission of DNA Evidence Through Substitute Witness. Lastly, Sims contends that the trial court violated his right to confrontation and to a fair trial when it allowed the State to present DNA evidence through Julie Ellis, "a substitute witness," rather than through Allison Tilsner, the initial DNA testing analyst. He claims that Ellis "did not limit her testimony to an independent opinion abstracted from machine-generated data" but instead "repeatedly conveyed what the non-testifying analyst did—actions and observations that only matter if true," which culminated in a partial major DNA profile that

included Defendant Sims. The State acknowledges that Sims raised a Confrontation Clause objection to Ms. Ellis's testimony on the third day of trial but asserts that Sims waived this issue when the trial court reserved its ruling and Sims failed to renew his objection and failed to ask the trial court to rule on his objection. The State also contends that Sims waived this issue when he failed to provide a standard of review for this issue in his brief. Consequently, it asserts that Sims has waived plenary review of this issue and that because Sims has not sought plain error review of this issue, this court should not review this issue for plain error.

At trial, Sims's attorney argued that the DNA test performed by Tillsner was "absolutely testimonial" and that "a separate person coming in and testifying to [the DNA results]" would violate his client's rights. The State asserted that Ellis was "the supervisor of the DNA unit" and "participated in the [DNA] analysis in this case," and Sims's attorney countered that Tillsner did the testing, and Ellis just verified that the appropriate process was followed. The trial court called for a jury out hearing so that the State could make an offer of proof regarding Ellis's testimony. However, no offer of proof was included in the trial transcript or appellate record. Although the record does not shed light on the trial court's reasoning, the trial court allowed Ellis to testify regarding the DNA results the following day.

Sims does not ask this court to review this issue for plain error, and we decline to conduct plain error review. See Tenn. R. App. P. 36(b); Reynolds, 635 S.W.3d at 931; see also Thompson, 2023 WL 4552193, at *5. Moreover, because it is apparent that the appellate record does not "clearly establish[] what occurred in the trial court," this court need not consider all the elements of the plain error doctrine. Reynolds, 635 S.W.3d at 931.

As a final note, we detect some clerical errors in the judgment forms that require correction. While the judgment forms in Count 2 for both Woods and Sims include a note in the Special Conditions box that "cts 1 & 2 merge," the judgment forms in Count 1 for both Woods and Sims say nothing about a merger of Counts 1 and 2. Moreover, the judgment forms for Woods and Sims in Count 1 and Count 2 do not identify which count is the "greater" or "surviving" count following this merger. In cases such as these, when two convictions merge, it is proper for the trial court to note the merger on both judgment forms. See State v. Berry, 503 S.W.3d 360, 364 (Tenn. 2015) (order for publication summarily granting the application of the defendant under Rule 11 of the Tennessee Rules of Appellate Procedure and reversing a portion of the judgment of the Tennessee Court of Criminal Appeals) ("The judgment document for the greater (or surviving) conviction should reflect the jury verdict on the greater count and the sentence imposed by the trial court. The judgment document for the lesser (or merged) conviction should reflect the jury verdict on the lesser count and the sentence imposed by the trial court. Additionally, the

judgment document should indicate in the “Special Conditions” box that the conviction merges with the greater conviction. To avoid confusion, the merger also should be noted in the “Special Conditions” box on the uniform judgment document for the greater or surviving conviction.”). Accordingly, we remand this case to the trial court for entry of corrected judgment forms in Count 1 and Count 2 for both Woods and Sims. On remand, the trial court should impose separate sentences for the convictions in Count 1 and Count 2; should place these sentences on separate, completed judgment forms; and should note in the “Special Conditions” box on each judgment form whether Count 1 or Count 2 is the greater or surviving conviction following merger. See id.

CONCLUSION

Based on the aforesaid authorities and reasoning, the judgments of the trial court are affirmed but the case is remanded for entry of corrected judgments in Count 1 and Count 2 for both Woods and Sims.

s/ *Camille R. McMullen*

CAMILLE R. MCMULLEN, JUDGE