

FILED

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Clerk of the
Appellate Courts

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE

Assigned on Briefs June 29, 2026

ELIZABETH PARKER v. PRISCILLA LOVE ET AL.

Appeal from the Chancery Court for Davidson County
No. 25-1805-III I'Ashea L. Myles, Chancellor

No. M2026-00952-COA-T10B-CV

This is an accelerated interlocutory appeal as of right. The petitioner seeks review of the trial court's denial of her motion for recusal. Discerning no error upon our review of the petition for recusal appeal, we affirm.

Tenn. Sup. Ct. R. 10B Interlocutory Appeal as of Right;
Judgment of the Chancery Court Affirmed; Case Remanded

JOHN W. MCCLARTY, P.J., E.S., delivered the opinion of the Court, in which CARMA DENNIS MCGEE and JEFFREY USMAN, JJ., joined.

Elizabeth Danielle Parker, Tupelo, Mississippi, pro se appellant.

Richard Manson, Nashville, Tennessee, for the appellees, Priscilla Marie Love, Jasmine Rae Love, and Priscilla Turner.

OPINION

I. BACKGROUND

On June 10, 2026, Appellant Elizabeth Danielle Parker moved to recuse the trial judge, the Honorable I'Ashea L. Myles. She filed an amended motion the next day. Appellant now appeals from the trial court's denial of that motion. The trial court denied the motion by order entered June 13, 2026.

Appellant identified five topics in her motion to recuse. All of these related to the trial court's enforcement of certain procedural requirements such as scheduling and notice of motions and timely responding to motions filed by the defendants pursuant to the Local

Rules of Practice for the Twentieth Judicial District. For instance, in the motion to recuse, Appellant contended that the trial court demonstrated favoritism toward the defendants because they successfully noticed and scheduled motions for hearing during the course of the litigation. She also argued that email correspondence with the trial court's staff and a denial of her request for an audio recording amounted to procedural irregularities and administrative partiality justifying recusal.

On June 13, 2026, the trial court entered a thorough order addressing Appellant's arguments. The trial court found that Appellant's motion identified no authority establishing a right to obtain the court's internal recording as the official record of proceedings. The court noted that "Parties are permitted to retain a court reporter to create a transcript of proceedings if they so choose. In this matter, neither party retained a court reporter to make an official record of the hearings before the Court." The trial court further found that Appellant was afforded a full and fair opportunity to be heard on matters properly presented to the court. The court noted that Appellant followed the procedural rules applicable to setting motions for hearing for only two of thirteen motions that she filed. As to email correspondence, the trial court found:

All parties and counsel are included on email correspondence with Court staff. Further, this Court has treated the Defendants in this case in the same manner as it has treated [Appellant]. To the extent there have been issues in scheduling or conducting hearings, the record reflects they are due to noncompliance with applicable procedural requirements.

The trial court concluded that Appellant's motion to recuse did not identify evidence that would prompt a reasonable, disinterested person, knowing all the relevant facts, to question the court's impartiality. The trial court emphasized that it had "applied the same procedural requirements to all parties" and that Appellant's allegations concerned "case-management decisions and enforcement of procedural rules." Reasoning that "[s]uch matters do not establish bias, prejudice, or an appearance of partiality requiring recusal under Rule 2.11(A) or Tennessee Supreme Court Rule 10B," the trial court denied Appellant's motion to recuse.

Now, in her petition for recusal appeal, Appellant states that there existed "clear grounds requiring disqualification" of the trial judge. The sole ground that she points to in her petition is: "The Order Denying Recusal was entered on Saturday, June 13, 2026 — a non-emergency date on which the court does not issue routine orders. The timing and circumstances of this Saturday filing further undermine confidence in the impartiality of the proceedings." Appellant argues:

Recusal is required when a judge's impartiality "might reasonably be questioned." Tenn. Sup. Ct. R. 10, Canon 2.11. The trial court's conduct, including the issuance of a non-emergency order on a Saturday, creates an

appearance of partiality and irregularity that undermines public confidence in the judiciary.

The trial court's refusal to recuse despite these circumstances constitutes an abuse of discretion and warrants immediate review.

II. DISCUSSION

We have reviewed Appellant's Rule 10B petition and its supporting documents filed June 25 and 26, 2026. Upon review, we have determined that an answer, additional briefing, and oral argument are unnecessary to our disposition because the record provided by Appellant does not demonstrate error by Judge Myles as to the denial of Appellant's motion for recusal. As such, we have elected to act summarily on this appeal in accordance with sections 2.05 and 2.06 of Rule 10B. *See* Tenn. Sup. Ct. R. 10B, § 2.05 ("If the appellate court, based upon its review of the petition for recusal appeal and supporting documents, determines that no answer from the other parties is needed, the court may act summarily on the appeal. Otherwise, the appellate court shall order that an answer to the petition be filed by the other parties. The court, in its discretion, also may order further briefing by the parties within the time period set by the court."); § 2.06 ("An accelerated interlocutory appeal shall be decided by the appellate court on an expedited basis. The appellate court's decision, in the court's discretion, may be made without oral argument.").

Without question, "[t]he right to a fair trial before an impartial tribunal is a fundamental constitutional right." *Bean v. Bailey*, 280 S.W.3d 798, 803 (Tenn. 2009) (quoting *State v. Austin*, 87 S.W.3d 447, 470 (Tenn. 2002), *abrogated on other grounds by State v. Miller*, 638 S.W.3d 136 (Tenn. 2021)); *see also* Tenn. Const. Art. VI, § 11. Rule 2.11(A) of the Code of Judicial Conduct as set forth in Rule 10 of the Rules of the Supreme Court of Tennessee requires a judge to recuse himself or herself "in any proceeding in which the judge's impartiality might reasonably be questioned." *See also Smith v. State*, 357 S.W.3d 322, 341 (Tenn. 2011) (Recusal is required, even if a judge subjectively believes he or she can be fair and impartial, whenever "'the judge's impartiality might be reasonably questioned because the appearance of bias is as injurious to the integrity of the judicial system as actual bias.'" (quoting *Bean*, 280 S.W.3d at 805)). "A motion to recuse should be granted when judges have any doubt about their ability to preside impartially in a case or when 'a person of ordinary prudence in the judge's position, knowing all of the facts known to the judge, would find a reasonable basis for questioning the judge's impartiality.'" *Boren v. Hill Boren, PC*, 557 S.W.3d 542, 548 (Tenn. Ct. App. 2017) (quoting *Davis v. Liberty Mut. Ins. Co.*, 38 S.W.3d 560, 564 (Tenn. 2001)).

The terms "bias" and "prejudice" generally "refer to a state of mind or attitude that works to predispose a judge for or against a party." *Alley v. State*, 882 S.W.2d 810, 821 (Tenn. Crim. App. 1994). However, "[n]ot every bias, partiality, or prejudice merits

recusal.” *Id.* “Adverse rulings by a trial court are not usually sufficient grounds to establish bias.” *Id.* In fact, “[r]ulings of a trial judge, even if erroneous, numerous and continuous, do not, without more, justify disqualification.” *Id.* “To disqualify, prejudice must be of a personal character, directed at the litigant, ‘must stem from an extrajudicial source and result in an opinion on the merits on some basis other than what the judge learned from . . . participation in the case.’” *Id.* In other words, “if the bias is alleged to stem from events occurring in the course of the litigation of the case, the party seeking recusal has a greater burden to show bias that would require recusal, *i.e.*, that the bias is so pervasive that it is sufficient to deny the litigant a fair trial.” *McKenzie v. McKenzie*, No. M2014-00010-COA-T10B-CV, 2014 WL 575908, *3 (Tenn. Ct. App. Feb. 11, 2014).

We review a trial court’s ruling on a motion for recusal *de novo*. Tenn. Sup. Ct. R. 10B § 2.01. “The party seeking recusal bears the burden of proof.” *Williams ex rel. Rezba v. HealthSouth Rehab. Hosp. N.*, No. W2015-00639-COA-T10B-CV, 2015 WL 2258172, at *5 (Tenn. Ct. App. May 8, 2015). We will not consider additional allegations of bias raised on appeal when not included in the initial motion for recusal filed in the trial court. *See Malone v. Malone*, No. W2023-00843-COA-T10B-CV, 2023 WL 8457951, at *14 (Tenn. Ct. App. Dec. 6, 2023); *McKenzie*, 2014 WL 575908, at *6 n.3.

We acknowledge that Appellant is not represented by counsel. Although “many pro se litigants have no legal training and little familiarity with the judicial system,” pro se litigants must “comply[] with the same substantive and procedural rules that represented parties are expected to observe.” *Hessmer v. Hessmer*, 138 S.W.3d 901, 903 (Tenn. Ct. App. 2003) (citations omitted). In her petition, Appellant asserts a new ground on which to recuse the trial judge, namely, that the judge entered the order denying the motion to recuse on a Saturday, “a non-emergency date on which the court does not issue routine orders.” As stated above, this Court does not consider allegations of partiality outside of those made in the motion before the trial court. In any event, based upon the entire record, we fail to see how Judge Myles’ entry of an order on a Saturday could amount to bias against Appellant, and Appellant has not further developed her argument. Indeed, the Rule requires prompt disposition: “Upon the filing of a motion pursuant to section 1.01, the judge shall act promptly by written order and either grant or deny the motion. If the motion is denied, the judge shall state in writing the grounds upon which he or she denies the motion.” Tenn. Sup. Ct. R. 10B § 1.03. That is exactly what Judge Myles did here.

Upon review of the petition for recusal appeal and all supporting exhibits, we find no basis upon which to conclude that a person of ordinary prudence in the trial judge’s position, knowing all of the facts known to her, would find a reasonable basis for questioning the trial judge’s impartiality. *See Davis*, 38 S.W.3d at 564; Tenn. Sup. Ct. R. 10, RJC 2.11(A). With the foregoing considerations in mind, we affirm the June 13, 2026, order denying Appellant’s motion for recusal.

III. CONCLUSION

We affirm the trial court's June 13, 2026, order. The case is remanded for further proceedings as necessary. Costs of the appeal are taxed to the appellant, Elizabeth Danielle Parker.

s/ John W. McClarty
JOHN W. MCCLARTY, JUDGE