

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE

Assigned on Briefs July 23, 2026

FILED

07/30/2026

Clerk of the
Appellate Courts

GABRIELLE ALVOID v. LARSON ENTERPRISES

Appeal from the General Sessions Court for Montgomery County
No. GS-25-CV-5726 Hugh Reid Poland, III, Judge

No. M2026-01108-COA-T10B-CV

Appellant filed an accelerated interlocutory appeal seeking to recuse the general sessions judge. Due to the deficiencies in Appellant's brief and her failure to attach the motion to recuse to her petition, we dismiss the appeal. Appellant's motion for stay is denied.

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

VALERIE L. SMITH, J., delivered the opinion of the court, in which JOHN W. MCCLARTY, P.J., E.S., and JEFFREY USMAN J., joined.

Gabrielle Alvoid, Clarksville, Tennessee, appellant, pro se.

Suzanne Marsh, Clarksville, Tennessee, for the appellee, Larson Enterprises.

OPINION

I. Background

On July 22, 2026, Appellant Gabrielle Alvoid filed an "Emergency Petition for Accelerated Interlocutory Appeal Pursuant to Tennessee Supreme Court Rule 10B" (the "10B Petition").¹ Although Ms. Alvoid attached 5 exhibits to the 10B Petition, she did not attach the motion to recuse. We address each exhibit below.

The first exhibit is one page and appears to be a picture of someone holding a document from the underlying case. The document is titled "Plaintiff's Notice to the General Sessions Court Clerk of Mandatory Stay Pursuant to Tennessee Supreme Court

¹ As provided under Rule 10B, section 2.05, we conclude that we do not require an answer from Appellee Larsons Enterprises, and we act summarily in this appeal. Tenn. Sup. Ct. R. 10B, § 2.05.

Rule 10B and Express Notice of Administrative Misdirection.” It appears this notice was filed on July 20, 2026, in the General Sessions Court for Montgomery County, Tennessee (the “General Sessions Court”). The first paragraph of the notice alleges: “On July 16, 2026, Plaintiff formally filed a Motion for Disqualification and Recusal under Tennessee Supreme Court Rule 10B targeting the presiding judge.” We will refer to the July 16, 2026, motion to recuse as the “Second Motion to Recuse.” The next paragraph, and the bottom of the page that appears in the picture, alleges that the filing of a Rule 10B motion to recuse “triggers an immediate stay on all further actions in the case.”

The second and third exhibits are orders filed in the General Sessions Court and in the Circuit Court for Montgomery County, Tennessee (the “Circuit Court”). The second exhibit is an order affirming the denial of a motion to recuse the General Sessions court judge. This order was filed on June 24, 2026, in the Circuit Court. Therein, the Circuit Court noted that, on May 13, 2026, the General Sessions Court denied a motion to recuse, and Ms. Alvold filed an appeal of the denial to the Circuit Court the same day. It is unclear when this motion to recuse was filed, but given the date that it was denied, we deduce that it was filed before the Second Motion to Recuse. As such, we will refer to this motion as the “First Motion to Recuse.” The third exhibit is an order filed on July 21, 2026, in the General Sessions Court. It appears that this order addressed the Second Motion to Recuse. Indeed, the order refers to a previously filed motion to recuse, *i.e.*, the First Motion to Recuse, which the General Sessions Court denied on May 13, 2026. In the July 21, 2026, order, the General Sessions Court noted that both of Ms. Alvold’s First and Second Motions to Recuse concerned matters from hearings on April 1, 2026, and May 13, 2026. Thereafter, the General Sessions Court denied the Second Motion to Recuse. Although Ms. Alvold appealed the General Sessions Court’s denial of the First Motion to Recuse to the Circuit Court, she did not appeal the denial of the Second Motion to Recuse to the Circuit Court. Rather, Ms. Alvold filed the instant 10B Petition with this Court.

The fourth exhibit is a transcript of a February 17, 2026, hearing involving Ms. Alvold and Octapharma Plasma, heard in the district court of Clark County, Nevada. It appears that Ms. Alvold was the plaintiff in that case.

The fifth exhibit is a two-page document that appears to be a transcription of a telephone call that Ms. Alvold recorded between herself and employees of the Montgomery County clerk’s office.

The 10B Petition alleges “administrative fraud and extrajudicial manipulation” from various individuals, including: (1) the General Sessions judge; (2) an employee of the clerk’s office in Montgomery County; (3) a person Ms. Alvold refers to in the 10B petition as “Bank Manager Tiffany;” and (4) Ms. Alvold’s opposing counsels in this case and in the Nevada action. Specifically, Ms. Alvold alleges that the opposing counsels have maintained a “backdoor communication pipeline” to “swap [Ms. Alvold’s] confidential court-filed financial records,” with the “explicit purpose . . . to manufacture a bad-faith

local sanction order on July 29, 2026, to drop in front of the Nevada Court of Appeals . . . to summarily crush [Ms. Alvoid's] active physical tort biohazard appeal.” Ms. Alvoid requests the following relief from this Court: (1) reverse the General Sessions Court's denial of the Second Motion to Recuse; (2) issue an emergency administrative stay cancelling the July 29, 2026 hearing; and (3) enter an order transferring this case “out of the local jurisdiction to an independent, neutral, out-of-county judge.”

On July 26, 2026, Ms. Alvoid filed an “Emergency Expedited Motion for Stay of Lower Court Proceedings Pending Determination of Rule 10B Appeal” (the “Motion for Stay”). On July 27, 2026, Ms. Alvoid filed the Motion for Stay for a second time but attached various “exhibits” to it. Also, on July 27, 2026, Ms. Alvoid filed an “Affidavit of Hand-Delivery Service Documenting Proof of Service of Appellant's Emergency Motion for Stay.” Lastly, that same day, Ms. Alvoid filed a “Comprehensive Supplemental Affidavit of Appellant Documenting Systemic Judicial Bias, Clerical Log Manipulation, and Multi-State Coordinated Subversions” (the “Supplemental Affidavit”). In the Supplemental Affidavit, Ms. Alvoid appears to expand on her allegations of “administrative fraud and extrajudicial manipulation” from the 10B Petition.

II. Issue

The only order this Court may review on an appeal under Tennessee Supreme Court Rule 10B is a trial court's order denying a motion to recuse. *Duke v. Duke*, 398 S.W.3d 665, 668 (Tenn. Ct. App. 2012) (“Pursuant to [Tennessee Supreme Court Rule 10B], we may not review the correctness or merits of the trial court's other rulings[.]”). Accordingly, the sole issue in Rule 10B appeals is whether a trial court erred in denying an appellant's motion for recusal. *Williams by & through Rezba v. HealthSouth Rehab. Hosp. N.*, No. W2015-00639-COA-T10B-CV, 2015 WL 2258172, at *5 (Tenn. Ct. App. May 8, 2015). We review a trial court's ruling on a motion for recusal under a *de novo* standard of review with no presumption of correctness. Tenn. Sup. Ct. R. 10B, § 2.01. The party seeking recusal bears the burden of proof, and “any alleged bias must arise from extrajudicial sources and not from events or observations during litigation of a case.” *Williams by & through Rezba*, 2015 WL 2258172, at *5 (citing *McKenzie v. McKenzie*, No. M2014-00010-COA-T10B-CV, 2014 WL 575908, at *3 (Tenn. Ct. App. Feb. 11, 2014)).

III. Discussion

First, we note that Ms. Alvoid is proceeding pro se in this appeal. It is well-settled that “pro se litigants are held to the same procedural and substantive standards to which lawyers must adhere.” *Brown v. Christian Bros. Univ.*, 428 S.W.3d 38, 46 (Tenn. Ct. App. 2013). While “[p]arties who choose to represent themselves are entitled to fair and equal treatment by the courts[.]” *Hodges v. Tenn. Att'y Gen.*, 43 S.W.3d 918, 920 (Tenn. Ct. App. 2000) (citing *Paehler v. Union Planters Nat'l Bank, Inc.*, 971 S.W.2d 393, 396 (Tenn. Ct. App. 1997)), “courts must not excuse pro se litigants from complying with the same

substantive and procedural rules that represented parties are expected to observe.” *Young v. Barrow*, 130 S.W.3d 59, 63 (Tenn. Ct. App. 2003) (citing *Edmundson v. Pratt*, 945 S.W.2d 754, 755 (Tenn. Ct. App. 1996); *Kaylor v. Bradley*, 912 S.W.2d 728, 733 n.4 (Tenn. Ct. App. 1995)).

Under Rule 10B, Section 1.01:

Any party seeking disqualification, recusal, or a determination of constitutional or statutory incompetence of a judge *of a court of record, or a judge acting as a court of record, shall do so by a written motion filed promptly after a party learns or reasonably should have learned of the facts establishing the basis for recusal.* The motion shall be filed no later than ten days before trial, absent a showing of good cause which must be supported by an affidavit. *The motion shall be supported by an affidavit under oath or a declaration under penalty of perjury on personal knowledge and by other appropriate materials. The motion shall state, with specificity, all factual and legal grounds supporting disqualification of the judge and shall affirmatively state that it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.*

Tenn. Sup. Ct. R. 10B, § 1.01 (emphases added). If the motion to recuse is denied, litigants may appeal such ruling by filing an accelerated interlocutory appeal. Tenn. Sup. Ct. R. 10B, § 2.01. “To effect an accelerated interlocutory appeal,” litigants must file a petition to recuse in the appropriate appellate court. Tenn. Sup. Ct. R. 10B, § 2.02. Under Rule 10B, Section 2.03, this petition *shall* contain:

- (a) A statement of the issues presented for review;
- (b) *A statement of the facts, setting forth the facts relevant to the issues presented for review;*
- (c) An 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
- (d) A short conclusion, stating the precise relief sought.

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

Tenn. Sup. Ct. R. 10B, § 2.03 (emphases added). As noted above, the Second Motion to Recuse did not accompany the 10B Petition. Furthermore, as discussed below, the 10B Petition fails to provide the necessary facts and procedural history this Court requires to complete any substantive review of this appeal.

The threshold question in any appeal is whether this Court has subject matter jurisdiction over it, *i.e.*, whether we have lawful authority to adjudicate the controversy before us. *Redwing v. Cath. Bishop for Diocese of Memphis*, 363 S.W.3d 436, 445 (Tenn. 2012) (internal citations omitted). Indeed, Tennessee Rule of Appellate Procedure 13(b) requires us to consider this question, whether or not it was presented for our review. Tenn. R. App. P. 13(b).

As discussed above, Ms. Alvoid appealed the General Sessions Court’s denial of the *First* Motion to Recuse to the *Circuit Court*. However, she appealed the *Second* Motion to Recuse directly to *this* Court. Under the “Statement of Jurisdiction & Nature of the Appeal” portion of the 10B Petition, Ms. Alvoid alleged:

Direct appellate review by this Court is constitutionally required because the lower court judge explicitly failed to address newly discovered evidence of structural fraud and administrative misdirection occurring on July 20, 2026. Review by local [c]ircuit [c]ourt judges is entirely compromised, as established by the lower court’s direct reliance on a prior June 24, 2026 [c]ircuit [c]ourt order to claim that entirely new, independent violations are barred by *res judicata*.

Ms. Alvoid provides no authority for her argument that we are “constitutionally required” to review the General Sessions Court’s denial of the Second Motion to Recuse, and we question whether we even have subject matter jurisdiction to do so.

Recently, in *Wilson v. Regions Bank*, No. M2026-00552-COA-T10B-CV, 2026 WL 1257314 (Tenn. Ct. App. May 7, 2026), this Court discussed whether it had subject matter jurisdiction to adjudicate a 10B appeal from the General Sessions Court of Davidson County. In making this determination, the threshold question from this Court was whether the general sessions court was acting as a “court of record” or whether it was “merely exercising the jurisdiction conferred upon it by general statute.” *Id.* at *2; *see also* Tenn. Code Ann. § 16-15-501(a) (“The court of general sessions is vested with all of the jurisdiction and shall exercise the authority formerly conferred by law upon justices of the peace in civil and criminal cases, suits and actions.”). The answer to this question hinged on the nature of the plaintiff’s/appellant’s underlying cause of action. *Wilson*, 2026 WL 1257314, at *2. If, in adjudicating the plaintiff’s/appellant’s claim, the general sessions court was acting as a “court of record,” then Rule 10B, Section 2 would apply, and this Court would retain jurisdiction over the appeal. *See* Tenn. Sup. Ct. R. 10B, § 1.01, 2.02.

However, if the general sessions court was exercising its general jurisdiction, then Rule 10B, Section 4, would govern. *Wilson*, 2026 WL 1257314, at *2; *see also* Tenn. Sup. Ct. R. 10B, § 4.01 (“Any party seeking disqualification, recusal, or a determination of constitutional or statutory incompetence *of a judicial officer acting in a capacity other than as judge of a court of record or as an appellate judge* shall do so by timely making a written or oral motion.”) (emphasis added). Under Section 4, judicial review of an order denying a motion to recuse would depend “on the forum in which the motion is made and [would be] governed by the law applicable to that forum,” rather than by Section 2 of Rule 10B, discussed above. *Wilson*, 2026 WL 1257314, at *3 (quoting Tenn. Sup. Ct. R. 10B, § 4.04). We further explained that:

The law applicable to the judicial review of decisions made by a general sessions court is found in statute. Tennessee Code Annotated section 27-5-108 states in part: “Any party may appeal from a decision of the general sessions court to the circuit court of the county within a period of ten (10) days on complying with this chapter.”

Id. (citing Tenn. Code Ann. § 27-5-108(a)(1)). Given the nature of the underlying case, we determined that the general sessions court was acting under its general jurisdiction. *Id.* at *2. As such, Rule 10B, Section 4 applied. *Id.* On this conclusion, we determined that we lacked subject matter jurisdiction to hear the appeal and transferred it to the Davidson County Circuit Court. *Id.* at*3; *see also In re Haven-Lee S.*, No. W2022-00124-COA-T10B-CV, 2022 WL 468124, at *2 (Tenn. Ct. App. Feb. 16, 2022) (transferring the appeal of a juvenile court magistrate’s denial of a motion to recuse to the juvenile court).

Due to the deficiencies in the 10B Petition, we are precluded from determining whether we have subject matter jurisdiction to even address it. Specifically, nothing in the 10B Petition or the exhibits attached to it explain the nature of the underlying cause of action. Indeed, the 10B Petition fails to provide us with an adequate statement of facts and procedural history.² *See* Tenn. Sup. Ct. R. 10B, § 2.03(b). Furthermore, to the extent the Second Motion to Recuse could have also provided this Court with the necessary facts and procedural history, it did not accompany the 10B Petition. *See* Tenn. Sup. Ct. R. 10B, § 2.03. Lastly, although she acknowledges the question of jurisdiction in the 10B Petition, Ms. Alvord provides us with no legal authority to support her argument that we are able to exercise same over this appeal. Tenn. Sup. Ct. R. 10B, § 2.03(c). Given the foregoing, we are unable to determine the threshold question of whether the General Sessions Court was acting as a “court of record” or under its general jurisdiction.

Aside from the jurisdictional issue, and assuming, *arguendo*, that the General Sessions Court was the appropriate “trial court,” without the Second Motion to Recuse, we

² The Supplemental Affidavit is equally unhelpful in assisting with our understanding of the nature of the underlying claim.

are unable to determine what arguments Ms. Alvoid raised as the basis for the recusal request. Without this information, we are precluded from determining whether the General Sessions Court erred when it denied the Second Motion to Recuse. Lastly, without the Second Motion to Recuse, we are unable to determine if Ms. Alvoid filed the required affidavit or declaration. *See* Tenn. Sup. Ct. R. 10B, § 1.01; *see also Moncier v. Wheeler*, No. E2020-00943-COA-T10B-CV, 2020 WL 4343336, at *3 (Tenn. Ct. App. July 28, 2020) (“When a petitioner fails to support a motion with this mandatory affidavit or declaration under penalty of perjury, we have repeatedly held that the request for recusal was waived.”). Both the motion to recuse and the affidavit/declaration are essential components of a recusal appeal. *Bradfield v. Thoman*, No. W2025-01416-COA-T10B-CV, 2025 WL 2754056, at *2 (Tenn. Ct. App. Sept. 29, 2025) (citing *Ranter v. Solomon*, No. E2025-00049-COA-T10B-CV, 2025 WL 326386, at *2 (Tenn. Ct. App. Jan. 29, 2025)). It is well-settled that accelerated interlocutory appeals require “meticulous compliance” with Rule 10B, and an appellant’s failure to comply as such often results in dismissal of the appeal. *Johnston v. Johnston*, No. E2015-00213-COA-T10B-CV, 2015 WL 739606, at *2 (Tenn. Ct. App. Feb. 20, 2015). For the myriad of reasons discussed above, the appeal is dismissed. The Motion for Stay is denied.

IV. Conclusion

For the foregoing reasons, we dismiss the appeal and deny the Motion for Stay. Costs of the appeal are assessed to the Appellant, Gabrielle Alvoid. Because Ms. Alvoid is proceeding *in forma pauperis* in this appeal, execution for costs may issue if necessary.

s/ Valerie L. Smith
VALERIE L. SMITH, JUDGE