

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE

FILED

08/10/2026

Clerk of the
Appellate Courts

STATE OF TENNESSE v. THOMAS ODELL HOLCOMB EX REL.
MARIANNA WALLS

Criminal Court for Smith County
No. 2023-CR-114

No. M2026-01177-CCA-T10B-CO

ORDER

This matter is before the Court upon the *pro se* petition of the Defendant, Thomas Odell Holcomb, for an interlocutory appeal as of right pursuant to Supreme Court Rule 10B, Section 2. The petition is signed by the Defendant's "next friend," Marianna Walls. The Defendant did not attach to his petition a copy of a trial court order addressing any motion to recuse. Tenn. Sup. Ct. R. 10B, Sec. 2.03. Instead, he included a copy of a trial court order, entered on July 29, 2026, appointing counsel to represent him on a pending post-conviction petition. Thus, it is evident the Defendant is currently represented by counsel. Aside from the fact the petition is incomplete, Rule 10B, Section 1.01, specifically prohibits a party who is represented by counsel from filing a *pro se* motion to recuse. The same prohibition holds true for a party filing a *pro se* petition to appeal. *See State v. Burkhart*, 541 S.W.2d 365, 371 (Tenn. 1976); *State v. Parsons*, 437 S.W.3d 457, 478 (Tenn. Crim. App. 2011); *Robinson v. State*, No. W2024-01916-CCA-R3-PC, 2026 WL 1781863 (Tenn. Crim. App. June 22, 2026). Accordingly, the instant *pro se* petition is hereby denied.

Ayers, J., Wedemeyer, P.J., Holloway, J.