

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON

Assigned on Briefs August 4, 2026

FILED

08/17/2026

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. WILLIAM MILAM, JR.

Appeal from the Criminal Court for Shelby County

No. 23-02220

Paula L. Skahan, Judge

No. W2025-01415-CCA-R3-CD

The Defendant, William Milam Jr., appeals his Shelby County Criminal Court jury convictions of aggravated child neglect and aggravated child abuse. The Defendant was sentenced to twenty-one years' incarceration. On appeal, the Defendant argues that the evidence is insufficient to support his convictions. We affirm the judgments of the trial court.

Tenn. R. App. P. 3 Appeal as of Right; Judgments of the Criminal Court Affirmed

STACY L. STREET, J., delivered the opinion of the court, in which JOHN W. CAMPBELL, SR., and STEVEN W. SWORD, JJ., joined.

Joseph McClusky (on appeal) and Samuel Muldavin (at trial), Memphis, Tennessee, for the appellant, William Milam, Jr.

Jonathan Skrmetti, Attorney General and Reporter; Benjamin A. Ball, Assistant Attorney General; Michael J. Hurst,¹ Qualified Law Student; Steve Mulroy, District Attorney General; William Wetter and Atina Stavropoulos, Assistant District Attorneys General, for the appellee, State of Tennessee.

OPINION

This appeal arises from the December 16, 2022 abuse and neglect of the victim, two-year-old T.R.,² at his mother's house. The proof at trial showed that the Defendant

¹ See Tenn. Sup. Ct. R. 7, Sec. 10.03.

² Because the victim is a minor, we will refer to him by his initials to protect his identity. We will also refer to the victim's sisters, who are minors, by their initials.

was left alone with the victim, who sustained significant head injuries that nearly took his life and left him with severe, lifelong complications.

Factual and Procedural Background

The Shelby County Grand Jury charged the Defendant with one count of aggravated child abuse and one count of aggravated child neglect. *See* T.C.A. § 39-15-402. The case proceeded to trial on both counts.

At trial, Keosha Stevenson-Allen testified that she was the mother of two-year-old T.R. and her two older daughters, X.L. and D.R. Ms. Stevenson-Allen said the Defendant, whom she had been dating for two years prior to the offenses, visited her house as often as three times a week and watched T.R. “off and on.” She said that on December 16, 2022, she drove her two older daughters to school while the Defendant stayed home with T.R. On her way back home, she received a text from the Defendant stating that he had been fired. When she arrived home, the Defendant was outside putting something in his vehicle, and she asked him where T.R. was. Instead of responding to her question, the Defendant gave her a hug. She went inside to look for T.R. and found him on the floor asleep in a puddle of cooking oil; a bottle of oil that had previously been on the counter lay nearby. Ms. Stevenson-Allen picked up T.R. and unsuccessfully tried to wake him up. The Defendant told her to change T.R.’s diaper, and after she had done so, drove her and T.R. to Le Bonheur Children’s Hospital (Le Bonheur). The Defendant left.

Ms. Stevenson-Allen testified that while she was at the hospital, she was on the phone with the Defendant, who told her, “What to say, what not to say.” She stated that the Defendant told her not to tell anyone that he was at her house that day or she risked going to jail. When police officers asked Ms. Stevenson-Allen what happened to T.R., she lied and told them that she was alone in the bathroom at home when she heard a loud thud. When she went to investigate, calling out for T.R. with no response, she found him lying on the floor in the kitchen in a puddle of grease next to an open bottle of oil.

Ms. Stevenson-Allen, who was arrested in connection with the injuries to T.R., testified that she finally decided to tell “the truth” about what happened with T.R. on August 28, 2023, because she went to court and finally “felt free” to tell the truth. At that time, she had been in custody for twenty-four days.

Lieutenant Benjamin Taylor of the Memphis Police Department (MPD) testified that on December 16, 2022, he was dispatched to Le Bonheur in response to a call that a minor child had been admitted in extremely critical condition with head trauma resulting from a fall. Lt. Taylor spoke with Ms. Stevenson-Allen, who told him that she had left T.R. home with the Defendant while she drove her daughters to school that morning. She told the lieutenant that when she got back home, the Defendant was playing with T.R.

before he left to go get food. She claimed that she was in the restroom when she heard a thump, unsuccessfully called out to T.R., and found him lying face up, asleep on the kitchen floor.

MPD Sex Crimes Bureau and Juvenile Abuse Squad Sgt. Adrian Arnold testified that he went to Le Bonheur on December 16, 2022, to speak with medical staff, who gave him a list of T.R.'s injuries. On the following day, he returned to the hospital and discovered that T.R. was not expected to survive, so he began to prepare for a homicide investigation. On that same day, Sgt. Arnold presented T.R.'s case to the Child Protective Investigation Team (CPIT), after which he obtained search warrants for the crime scene. Sergeant Arnold participated in the execution of the warrant to search the crime scene and, on a later date, collected Ms. Stevenson-Allen's cell phone pursuant to another search warrant.

Sergeant Arnold recalled that on December 21, 2022, forensic interviews of T.R. and his two older sisters were conducted. During her interview, X.L. said that her mother took her and her younger sister to school while T.R. stayed home with the Defendant. X.L. also testified at trial and provided the same account.

Sergeant Arnold interviewed the Defendant when he voluntarily came to the police station for a meeting. Sergeant Arnold said that it was a "red flag" that the Defendant could not remember T.R.'s name and that he was "trying to separate himself from the situation and what he may or may not know about the incident." Sergeant Arnold noticed multiple inconsistencies in the Defendant's story that T.R. slipped in oil.

MPD Lt. Eugene Myers testified that he took photos of T.R. and his injuries, which were exhibited to his testimony. The images showed T.R. lying in a hospital bed and highlighted up-close facial photos of his head injuries and the medication assigned to him.

Digital forensic examination of Ms. Stevenson-Allen's and the Defendant's cell phones included the text messages that they exchanged on the day of the offenses. The text messages demonstrated that on December 16, 2022, at 7:48 a.m., Ms. Stevenson-Allen texted the Defendant that she was about to "drop the girls off." At 8:04 a.m., the Defendant replied, "Lord", and Ms. Stevenson-Allen texted back, "LOL." At 9:03 a.m., the Defendant texted Ms. Stevenson-Allen, "They just fired me baby."

Other witnesses testified that Ms. Stevenson-Allen told them that T.R. slipped on cooking oil while the Defendant was not there.

Doctor Stephanie Einhaus, a neurosurgeon who treated T.R., testified that she reviewed a 3D rendering of T.R.'s skull, which showed multiple skull fractures, severe scalp swelling, and a herniation of the brain. Dr. Einhaus described the injuries as

hyperacute. Despite low survival expectations, Dr. Einhaus elected to operate on T.R. and performed a decompressive hemicraniectomy to relieve the swelling in his brain. During the procedure, T.R.'s brain "popped out" and Dr. Einhaus noted severe bruises within his brain. Multiple other procedures were performed after the initial surgery to save T.R.'s life. Although T.R. experienced complications, the procedures were ultimately successful, and the swelling in T.R.'s brain subsided. During his recovery, T.R. was required to wear a protective helmet. He suffered permanent vision impairment and spasticity in his arm and will require lifelong monitoring of his shunt.

Dr. Laura Metzler, a pediatric intensivist who treated T.R. after his initial brain surgery, testified that T.R. suffered significant traumatic brain and intra-abdominal injuries, including a splenic laceration. Dr. Metzler opined that T.R.'s injuries were inconsistent with a slip and fall injury.

Dr. Erin Wade, a child abuse pediatrician at Le Bonheur, who also examined T.R., testified that his injuries were inconsistent with Ms. Stevenson-Allen's story that he was hurt in an accidental slip and fall. Dr. Wade testified that T.R. had multiple healed pattern injuries that predated those for which he was hospitalized.

Based upon this evidence, the jury convicted the Defendant as charged, and, following a sentencing hearing, the trial court imposed concurrent sentences of 21 years for each count. The Defendant filed a timely motion for new trial followed by an untimely notice of appeal. This court granted the Defendant's motion to accept the late-filed notice of appeal and waived the timely filing requirement.

Analysis

On appeal, the Defendant asserts that the evidence was insufficient to support his convictions of aggravated child abuse and aggravated child neglect because the proof failed to establish that he, rather than Ms. Stevenson-Allen, caused the victim's injuries. The State argues that the Defendant is not entitled to relief.

We first review the governing sufficiency standard, then outline the statutory elements of aggravated child abuse and aggravated child neglect and finally assess whether the evidence is sufficient to uphold the jury's conviction. Because the Defendant challenges only identity, our review focuses exclusively on whether a rational jury could have found beyond a reasonable doubt that the Defendant caused the injuries.

As an appellate court, our role is not to reassess witness credibility, reweigh the proof, or resolve the factual disputes raised by the evidence because these considerations lie solely within the purview of the trier of fact. *See State v. Miller*, 638 S.W.3d 136, 157 (Tenn. 2021) (citing *State v. Bland*, 958 S.W.2d 651, 659 (Tenn. 1997); *State v. Pruett*, 788

S.W.2d 559, 561 (Tenn. 1990)); *see also State v. Dorantes*, 331 S.W.3d 370, 379 (Tenn. 2011) (citing *State v. Campbell*, 245 S.W.3d 331, 335 (Tenn. 2008)). Instead, we examine “the evidence in the light most favorable to the” State, granting the State “the strongest legitimate view of the evidence as well as all reasonable and legitimate inferences which may be drawn therefrom,” to determine whether “*any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *Jackson v. Virginia*, 443 U.S. 307, 319 (1979) (citations omitted); *State v. Davis*, 354 S.W.3d 718, 729 (Tenn. 2011) (citations omitted); Tenn. R. App. P. 13. Our review “is identical whether the conviction is predicated on direct or circumstantial evidence, or a combination of both.” *State v. Williams*, 558 S.W.3d 633, 638 (Tenn. 2018) (citing *Dorantes*, 331 S.W.3d at 379).

As charged here, aggravated child abuse is “child abuse, as defined by “39-15-401(a)” that “results in serious bodily injury to the child.” T.C.A. § 39-15-402(a)(1). A person commits child abuse “who knowingly, other than by accidental means, treats a child under eighteen (18) years of age in such a manner as to inflict injury.” *Id.* § 39-15-401(a).

“Serious bodily injury to the child” includes, but is not limited to, second- or third-degree burns, a fracture of any bone, a concussion, subdural or subarachnoid bleeding, retinal hemorrhage, cerebral edema, brain contusion, injuries to the skin that involve severe bruising or the likelihood of permanent or protracted disfigurement, including those sustained by whipping children with objects and acts of female genital mutilation as defined in § 39-13-110.

T.C.A. § 39-15-402(c). This court has “held that ‘the legislature intended the threshold of injury necessary to establish “serious bodily injury to the child” would be less than that required to establish “serious bodily injury” under the general definition of the criminal code.’” *State v. First*, No. W2024-01823-CCA-R3-CD, 2025 WL 3124684, at *4 (Tenn. Crim. App. Nov. 7, 2025) (quoting *State v. Mark*, No. M2014-00651-CCA-R3-CD, 2015 WL 4720038, at *36 (Tenn. Crim. App. Aug. 10, 2015), *perm. app. denied* (Tenn. Dec. 10, 2015)), *no perm. app. filed*.

Aggravated child neglect is “child neglect, as defined in § 39-15-401(b)” that “results in serious bodily injury to the child.” *Id.* Child neglect, as is relevant here, means to neglect a child “so as to adversely affect the child’s health and welfare.” T.C.A. § 39-15-401(b). Child neglect has “three essential elements: (1) a person knowingly must neglect a child; (2) the child’s age must be within the applicable range set forth in the statute; and (3) the neglect must adversely affect the child’s health and welfare.” *State v. Sherman*, 266 S.W.3d 395, 404 (Tenn. 2008) (first citing *State v. Mateyko*, 53 S.W.3d 666, 670 (Tenn. 2001); and then *State v. Ducker*, 27 S.W.3d 889, 896 (Tenn. 2000)). Additionally, the proof must show “that a defendant owes a legal duty to the child,” *id.*

(citing *Mateyko*, 53 S.W.3d at 671), and that “the defendant’s neglect produced an actual, deleterious effect or harm upon the child’s health and welfare,” *Mateyko*, 53 S.W.3d 672. The State need not establish that the defendant knew that the neglect would result in serious bodily injury. *State v. Weems*, 619 S.W.3d 208, 224 (Tenn. 2021) (citing *State v. Prater*, 137 S.W.3d 25, 34 (Tenn. Crim. App. 2003)).

The Defendant does not assert that the evidence was insufficient to establish that T.R. was abused or neglected and instead claims only that the evidence does not support the verdicts against him because it demonstrated that Ms. Stevenson-Allen was responsible for T.R.’s abuse and neglect. The Defendant contends that the evidence in the case comes “almost exclusively from Ms. Stevenson-Allen[’s]” admissions and her change in story eight months after the incident and after she spent a month in jail.

“It is well established that the identity of the perpetrator is an essential element of any crime.” *State v. Miller*, 638 S.W.3d 136, 158 (Tenn. 2021) (citing *State v. Rice*, 184 S.W.3d 646, 662 (Tenn. 2006), *abrogated in part by Dorantes*, 331 S.W. 3d at 381). “Identity may be established by circumstantial evidence alone.” *Id.* (citing *State v. Reid*, 91 S.W.3d 247, 277 (Tenn. 2002)). Whether the State has proved the defendant’s identity as the perpetrator of the charged offenses beyond a reasonable doubt is “a question of fact for the jury upon its consideration of all competent proof.” *State v. Bell*, 512 S.W.3d 167, 198 (Tenn. 2015) (citations omitted); *Miller*, 638 S.W.3d at 158 (observing that direct and circumstantial evidence of identity is reviewed under the standard announced in *Dorantes*).

Here, the Defendant’s argument rests on challenges to witness credibility and the weight of the evidence, matters entrusted to the jury. The jury saw and heard Ms. Stevenson-Allen’s testimony. It also saw and heard testimony that she had given prior inconsistent statements as well as her explanation for those inconsistencies. Her trial testimony was corroborated by the contemporaneous texts, which the jury could reasonably rely on and which show that the Defendant was home alone with T.R. when he was injured. By its verdict, the jury accredited the State’s proof and rejected the Defendant’s theory that Ms. Stevenson-Allen was responsible for the victim’s injuries. We will not disturb the jury’s credibility determinations on appeal. *See Bland*, 958 S.W.2d at 659.

Viewed in the light most favorable to the State, the evidence showed that Ms. Stevenson-Allen drove her daughters to school while the Defendant remained home alone with T.R. and that when she returned home, she found T.R. lying unresponsive in a puddle of oil. The Defendant did not go into the hospital with Ms. Stevenson-Allen and encouraged her to lie to authorities about the origin of T.R.’s injuries. Text messages exchanged between the Defendant and Ms. Stevenson-Allen confirmed the timeline of events that she provided at trial. The medical proof established that T.R. sustained significant lifelong injuries that were inconsistent with Ms. Stevenson-Allen’s initial claim that T.R. was injured in a slip and fall.

With regard to the aggravated child abuse, this evidence permitted a jury to find that the Defendant knowingly treated T.R. in a manner that inflicted injury. The Defendant was alone with T.R. for the relevant period; T.R. was healthy before the Defendant was left in charge; and T.R. was found unresponsive with severe injuries. The Defendant encouraged Ms. Stevenson-Allen to lie about his presence and offered an account—slipping in oil—that the medical experts uniformly rejected as inconsistent with the injuries.

The evidence also supports the neglect conviction. The Defendant had assumed responsibility for the child while the mother was away from home, thereby establishing his legal duty of care. The evidence permitted the jury to find that he knowingly failed to protect the child's health and welfare. The child suffered catastrophic injuries while under his supervision, but the Defendant did not seek immediate medical assistance and encouraged deception designed to delay accurate reporting of the injuries. The jury could have rationally determined that these acts constituted knowing neglect causing adverse and serious harm. Medical testimony confirmed that the injuries met the statutory threshold for serious bodily injury.

This evidence was sufficient to support both of the Defendant's convictions.

Conclusion

In consideration of the foregoing and the record as a whole, we affirm the judgments of the trial court.

s/ *Stacy L. Street*

STACY L. STREET, JUDGE