

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON

Assigned on Briefs July 9, 2026

FILED

08/27/2026

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. DANNY ROGERS

Appeal from the Circuit Court for Lauderdale County
No. 11701 A. Blake Neill, Judge

No. W2025-01477-CCA-R3-CD

Defendant, Danny Rogers, appeals his conviction for assault, for which he received a sentence of eleven months and twenty-nine days at seventy-five percent service. On appeal, he argues that the evidence presented at trial was insufficient to support his conviction because the State failed to prove beyond a reasonable doubt that he did not act in self-defense. Upon review, we affirm the judgment of the trial court.

Tenn. R. App. P. 3 Appeal as of Right; Judgment of the Circuit Court Affirmed

MATTHEW J. WILSON, J., delivered the opinion of the court, in which ROBERT W. WEDEMEYER, P.J., and TIMOTHY L. EASTER, J., joined.

Joseph B. Simmons III, Atoka, Tennessee, for the appellant, Danny Rogers.

Jonathan Skrmetti, Attorney General and Reporter; Ryan W. Davis, Assistant Attorney General; Mark E. Davidson, District Attorney General; and Harrison Hight, Assistant District Attorney General, for the appellee, State of Tennessee.

OPINION

Factual and Procedural Background

A Lauderdale County grand jury charged Defendant with one count of assault for knowingly causing bodily injury to the victim, Correctional Officer Jakiha¹ Horton. Defendant's case proceeded to a jury trial, in which the following evidence was presented.

¹ Because the record reflects various spellings of the victim's first name, we utilize the spelling according to her trial testimony.

On December 2, 2023, the victim was conducting rounds during her shift at the West Tennessee State Penitentiary (“WTSP”) in Lauderdale County. Part of the victim’s duties was to ensure that all inmates were outside of their cells during recreation time and that cell doors were locked. The victim testified that when she approached Defendant and instructed him to exit his cell so she could secure it, he refused.

Instead of following the victim’s instructions, Defendant told her that he had been given permission by another officer to paint his cell. A verbal altercation ensued, and Defendant became “aggressive.” To the victim’s surprise, Defendant retrieved a plastic bag of paint from behind his cell’s toilet and “shoved it” toward her face. The victim testified that “nobody gave [Defendant] permission to paint his cell. I didn’t even know that he even had paint in his cell . . . until he grabbed it from behind his toilet.” The victim stated that after she pushed the bag of paint out of her face and back toward Defendant, she decided to go get her sergeant for help. She explained, “[At] my height, you can’t take down an inmate. So that’s why they tell you to try to deescalate the situation and get out of there.”

The victim said that when she told Defendant she was planning to notify the sergeant, Defendant grabbed her by her hair and pulled her into his cell. She stated that Defendant “flung [her] on the ground towards his bed. Then . . . he started punching [her] in [her] face,” and demanded that she tell him she was “sorry.” The victim was unable to press the panic button on her radio once inside Defendant’s cell because the radio was separated from her during the attack. The victim said that Defendant punched her in the face three times before another inmate ran into the cell and pulled Defendant off her. After that, she briefly rested on the floor “because [of] the pain.” She then retrieved her radio and called for help.

The State exhibited video surveillance footage from the prison hallway outside Defendant’s cell that captured the beginning of the attack. The footage showed that when the victim pushed the bag of paint away, Defendant moved aggressively toward her and got in her face. The victim then pushed Defendant’s neck as if to separate from him, but Defendant immediately pulled her by the hair into his cell. While the footage did not show the inside of Defendant’s cell, it did show that approximately thirty seconds passed before another inmate ran into the cell to assist the victim.

Sergeant Marcus Jones, a supervisor at WTSP, testified that he responded to the attack on the victim after hearing a code come across the radio. Upon arriving at Defendant’s cell, Sergeant Jones observed that the victim had “[a] mark on her face and a little bit of swelling” that became more “pronounced” over time. After the attack, the victim was assessed by Alisha Beavers, a registered nurse at WTSP. Ms. Beavers testified that some of the victim’s nails were missing and her “right hand was swollen. She [had]

swelling and bruising to her left eye. She had an abrasion to the left side of her face. Her left upper lip was swollen. And she [had] a red area to the lower back of her torso.” Ms. Beavers also said that the victim told her that Defendant “grabbed her” by her hair “and threw her in his cell on the floor, putting his knee in her chest, and then hit her three times with a closed fist.” Because the victim’s “right hand was swollen [from] where she was defending herself,” she was unable to provide a written statement to Ms. Beavers. The victim was then transported to the emergency room at Lauderdale Community Hospital for further evaluation. The State exhibited the victim’s medical records at trial. The records noted contusions and “left periorbital soft tissue swelling” consistent with trauma to the victim’s left eye, as well as contusions on her right hand.

Defendant testified on his own behalf. He claimed that the victim was the initial aggressor and that he was acting in self-defense. He said that when the victim ordered him to exit his cell, he told her he had been given permission from Sergeant Jones to leave his cell door open and paint during recreation time. He said the victim asked him to see the paint after he told her he was waiting for the sergeant to bring a paint brush. He denied shoving the bag of paint into the victim’s face and said he “held it up” to her and then put it back down. He asserted that the victim then shoved and hit him in the neck. Thereafter, he “just snapped” and “lost it.”

On cross-examination, the State played the video surveillance footage and asked Defendant to describe how it could support his version of events. Defendant admitted that he “snatched” the victim by her hair and pulled her into his cell because she had “no business” touching him on the neck. When asked by the State if the victim’s touching his neck might have been a reaction to Defendant’s becoming aggressive and getting in her face, Defendant said, “No, because she had enough time to move back . . . [s]he could have hit her panic button . . . [or] called Sergeant Jones . . . but she didn’t. She kept on.” Defendant maintained that he never punched the victim in the face while in his cell but admitted that he “had her by the hair” the entire time while demanding she “say she was sorry.”

At the conclusion of the proof, the trial court instructed the jury on self-defense. The jury thereafter convicted Defendant as charged of assault. The trial court proceeded to sentencing, and after hearing from the parties, imposed a sentence of eleven months and twenty-nine days at seventy-five percent to serve consecutively to an existing sentence for second degree murder. Defendant filed a timely motion for a new trial, which the trial court denied following a hearing. Defendant now appeals.

Analysis

Defendant contends that the evidence presented at trial was insufficient to support his conviction for assault because the State failed to prove beyond a reasonable doubt that he did not act in self-defense. The State responds that the evidence at trial was sufficient to sustain Defendant's conviction and rebut his self-defense theory. We agree with the State.

We review a challenge to the sufficiency of the convicting evidence to determine whether, “after viewing the evidence in the light most favorable to the prosecution” and providing the State with “the strongest legitimate view of the evidence as well as all reasonable and legitimate inferences which may be drawn therefrom,” “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) (emphasis in original) (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 *State v. Dorantes*, 331 S.W.3d 370, 379 (Tenn. 2011)). Importantly, a guilty verdict removes the presumption of innocence and replaces it with one of guilt on appeal, shifting the burden to the defendant to demonstrate why the evidence is legally insufficient to support the conviction. *Davis*, 354 S.W.3d at 729 (citing *State v. Sisk*, 343 S.W.3d 60, 65 (Tenn. 2011)).

We must decline any invitation to revisit witness credibility or any purported discrepancies in the evidence because the jury, not this court, resolves all questions involving the credibility of the witnesses, the weight and value to be given to evidence, and the factual disputes raised by such evidence. *See Dorantes*, 331 S.W.3d at 379 (citing *State v. Campbell*, 245 S.W.3d 331, 335 (Tenn. 2008)). Accordingly, this court will neither reweigh nor reconsider the evidence when evaluating the sufficiency of the convicting proof. *State v. Stephens*, 521 S.W.3d 718, 724 (Tenn. 2017).

Defendant was convicted of assault, which, as charged, required the State to show that he intentionally or knowingly caused bodily injury to the victim. Tenn. Code Ann. § 39-13-101(a)(1). The definition of bodily injury “includes a cut, abrasion, bruise . . . and physical pain” *Id.* § 39-11-106(a)(3). Defendant does not contend that the evidence failed to establish the elements of assault. Instead, he argues that the evidence presented at trial was insufficient to establish beyond a reasonable doubt that he did not act in self-defense.

Under our self-defense statute, a person must reasonably believe they face an imminent danger of serious bodily injury or death before threatening or using force. Tenn.

Code Ann. § 39-11-611(b). Thus, “[i]f a defendant has a genuine, well-founded fear that he was in danger of death or great bodily harm, self-defense is an available plea.” *State v. Smith*, No. W2023-00342-CCA-R3-CD, 2024 WL 4481509, at *6 (Tenn. Crim. App. Oct. 14, 2024) (citing *State v. Gilbert*, 612 S.W.2d 188, 190 (Tenn. Crim. App. 1980)), *no perm. app. filed*. The genuineness of a defendant’s fear may be demonstrated by examining the circumstances surrounding his self-defense claim. *Id.* (citing *Frazier v. State*, 100 S.W. 94 (Tenn. 1907)). This includes examining whether a defendant’s conduct and mental state “meet an objective standard of reasonableness.” *State v. Bult*, 989 S.W.2d 730, 732 (Tenn. Crim. App. 1998). “Thus, the mere fact that the defendant believes that his conduct is justified” is not sufficient to justify a claim of self-defense. *Id.* If a claim of self-defense is fairly raised by admissible evidence, then the trial court must submit the issue to the jury and “the burden shifts to the prosecution to prove beyond a reasonable doubt that the defense does not apply.” *State v. Hawkins*, 406 S.W.3d 121, 129 (Tenn. 2013) (citing *State v. Bledsoe*, 226 S.W.3d 349, 355 (Tenn. 2007)); Tenn. Code Ann. § 39-11-201(a)(3). Ultimately, whether a defendant was acting in self-defense is a question of fact for the jury to decide—not this court. *State v. Echols*, 382 S.W.3d 266, 283 (Tenn. 2012) (first citing *State v. Clifton*, 880 S.W.2d 737, 743 (Tenn. Crim. App. 1994); and then *State v. Ivy*, 868 S.W.2d 724, 727 (Tenn. Crim. App. 1993)).

Here, the jury was presented with two competing narratives. The jury heard the State’s version of events through the victim, who testified to her injuries and the pain she suffered at the hands of Defendant. The jury viewed the surveillance footage that showed Defendant shoving a bag of paint into the victim’s face, aggressively moving toward her, and then pulling her by her hair into his cell. The jury heard from Sergeant Jones and Ms. Beavers, who testified that they observed the victim’s injuries immediately after the attack. The jury also saw photographs of the victim’s injuries and reviewed her medical records, which reflected abrasions and bruises to the victim’s face and an injury to her right hand. Based on the victim’s testimony and the surveillance footage, the jury was presented with the considerable height difference between the victim and Defendant. Although Defendant argues that the victim was the initial aggressor and that he employed the amount of force he believed was reasonably necessary, the jury rejected Defendant’s claim of self-defense with its verdict as was its prerogative. Accordingly, we will not disturb the jury’s findings.

The evidence presented at trial, when viewed in the light most favorable to the State, established that Defendant intentionally or knowingly caused bodily injury to the victim when he pulled her by her hair into his cell, put a knee to her chest, and punched her in the face three times. We conclude that any rational trier of fact could have found that the State established the essential elements of assault and negated Defendant’s self-defense theory beyond a reasonable doubt. Thus, Defendant is not entitled to relief.

Conclusion

For the foregoing reasons, we affirm the judgment of the trial court.

s/ Matthew J. Wilson
MATTHEW J. WILSON, JUDGE