

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON

Assigned on Briefs August 4, 2026

FILED

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Clerk of the
Appellate Courts

DONALD RAGLAND, JR. v. STATE OF TENNESSEE

Appeal from the Criminal Court for Shelby County

No. 06-06182

James Jones, Jr., Judge

No. W2025-01749-CCA-R3-HC

The Petitioner, Donald Ragland, Jr., appeals the Shelby County Criminal Court's summary dismissal of his second petition for writ of habeas corpus, arguing that his judgment is void based on alleged deficiencies in the arrest warrant and affidavit of complaint underlying his convictions. We conclude that the Petitioner's brief does not comply with the requirements of Tennessee Rule of Appellate Procedure 27(a), but that, notwithstanding waiver, the habeas corpus court did not err by summarily dismissing the petition. Accordingly, we affirm the judgment of the habeas corpus court.

Tenn. R. App. P. 3 Appeal as of Right; Judgment 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.

Donald Ragland, Jr., Only, Tennessee, pro se.

Jonathan Skrmetti, Attorney General and Reporter; Julia A. Johnson, Assistant Attorney General; Steven J. Mulroy, District Attorney General, for the appellee, State of Tennessee.

OPINION

This appeal arises from the summary dismissal of the Petitioner's second pro se petition for writ of habeas corpus.

Factual and Procedural Background

In 2008, a Shelby County Criminal Court jury convicted the Petitioner of one count of first degree premeditated murder. *See* T.C.A. § 39-13-202. The trial court imposed a sentence of life imprisonment. *See State v. Ragland*, No. W2008-02065-CCA-R3-CD, 2009 WL 4825182, at *1 (Tenn. Crim. App. Dec. 15, 2009), *perm. app. denied* (Tenn. May 11, 2010). This court affirmed the Petitioner's conviction on direct appeal, *see id.* at *10, and affirmed the denial of his subsequent bid for post-conviction relief, *see Ragland v. State*, No. W2012-00743-CCA-R3-PC, 2013 WL 967769, at *1, *6 (Tenn. Crim. App. Mar. 8, 2013), *perm. app. denied* (Tenn. July 12, 2013). Following the denial of his application for permission to appeal, the Petitioner filed a petition for writ of habeas corpus followed by "a 'Motion to Reconsider Relief from Judgment' on October 10, 2013, which the trial court denied by order entered October 11, 2013." *Ragland v. State*, No. W2013-02778-CCA-R3PC, 2014 WL 6203884, at *8 (Tenn. Crim. App. Nov. 10, 2014). The Petitioner appealed the denial of his motion to reconsider but did not include the motion in the record on appeal. *See id.* We concluded that no appeal as of right lay from the denial of the motion to reconsider and dismissed the appeal. *See id.* at *8-9. We also concluded that, even if the Petitioner had intended to appeal the denial of his petition for writ of habeas corpus, he would not be entitled to relief "because his claim has been previously reviewed by this court and his claim, if true, would only render his conviction voidable not void." *Id.* at *9. At issue was the Petitioner's claim that the affidavit in support of his arrest contained "false and misleading information." *See id.*

Thereafter, the Petitioner appealed the denial of his "Motion for Correction of Clerical Mistake-Error," again asserting "that the arrest warrant giving rise to his conviction lacked probable cause," and this court affirmed, noting again that this issue had been previously determined. *See State v. Ragland*, No. W2017-00464-CCA-R3-CD, 2017 WL 3535018, at *1-2 (Tenn. Crim. App. Aug. 17, 2017) (Memorandum Opinion). The Petitioner then raised the same claim through a pro se "Motion to Correct an Illegal Sentence," and this court affirmed trial court's summary dismissal because the Petitioner's arguments were "not related in any manner to his sentence" but instead "attack[ed] the procedural steps leading to his arrest and subsequent conviction." *State v. Ragland*, No. W2017-02001-CCA-R3-CD, 2018 WL 4692874, at *1-2 (Tenn. Crim. App. Sept. 28, 2018) (Memorandum Opinion). The Petitioner filed the petition for writ of habeas corpus at issue in this case on August 21, 2025, again asserting "[t]here has not been a valid affidavit of complaint and warrant filed in this case" and "[the] judgment order does not include a state control number."

The Petitioner acknowledged in his petition that he had previously filed a petition for writ of habeas corpus, but did not attach the filing, and stated that the "[p]revious writ [was] lost over years of cell searches and court records are silent on original application."

The habeas corpus court summarily dismissed the petition on October 6, 2025, observing that the Petitioner “has previously filed a habeas corpus petition which was dismissed by the trial court prior to Petitioner’s conviction.” The habeas corpus court also recognized that the Petitioner had previously raised the same claim unsuccessfully multiple times and that “the Petitioner failed to present any grounds not previously litigated or sufficient to prove that he is entitled to any form of habeas corpus relief.”

The Petitioner timely filed a notice of appeal.

Analysis

In seeking a writ of habeas corpus, the Petitioner contends that his judgment is void because his prosecution proceeded without a valid arrest warrant or affidavit of complaint and because the judgment order does not include a state control number. In response, the State argues that the Petitioner waived appellate review of his claim by failing to comply with the requirements of Tennessee Rule of Appellate Procedure 27 that he include citations to the record and adequately develop his arguments. The State also claims that the Petitioner failed to comply with the mandatory procedural requirements for filing a petition for writ of habeas corpus or state a cognizable claim for habeas corpus relief. We conclude that the Petitioner is not entitled to relief.

Both the state and federal constitutions guarantee the right to pursue the writ of habeas corpus, *see* U.S. Const. art. 1, § 9, cl. 2; Tenn. Const. art. 1, § 15, but the writ has been statutorily regulated in this state since 1858, *see May v. Carlton*, 245 S.W.3d 340, 344 (Tenn. 2008) (first citing Code of Tennessee §§ 3720 to 3765 (Return J. Meigs & William F. Cooper eds. 1858); and then citing *Faulkner*, 226 S.W.3d at 361); *see also* *Ussery v. Avery*, 432 S.W.2d 656, 657 (Tenn. 1968); T.C.A. §§ 29-21-101 to -130. Except for those who have pleaded guilty in exchange for specific sentence alignment and/or release eligibility, “[a]ny person imprisoned or restrained of liberty” by virtue of process issued by a court of this state is permitted to “prosecute a writ of habeas corpus, to inquire into the cause of such imprisonment and restraint.” T.C.A. §§ 29-21-101; -102. The expansive wording of the statute notwithstanding, habeas corpus relief is available “only when it appears on the face of the judgement or the record” that the confining court was “without jurisdiction to convict or sentence the petitioner” or that the petitioner “is otherwise entitled to immediate release because of the expiration of his sentence.” *Faulkner*, 226 S.W.3d at 361 (first citing *Ussery*, 432 S.W.2d at 658; then citing *State v. Galloway*, 45 Tenn. (5 Cold.) 326, 336-37 (1868); then citing *Archer v. State*, 851 S.W.2d 157, 159 (Tenn. 1993); and then citing *Potts v. State*, 833 S.W.2d 60, 62 (Tenn. 1992)). Thus, “the purpose of the state habeas corpus petition is to contest a void, not merely a voidable, judgment.” *Id.* at 361-62 (citing *State ex rel. Newsom v. Henderson*, 424 S.W.2d 186, 189 (Tenn. 1968)).

“The determination of whether habeas corpus relief should be granted is a question of law.” *Faulkner v. State*, 226 S.W.3d 358, 361 (Tenn. 2007) (citing *Hart v. State*, 21 S.W.3d 901, 903 (Tenn. 2000)). Our review of the habeas corpus court’s decision is, therefore, “de novo with no presumption of correctness afforded to the [habeas corpus] court.” *Id.* (citing *Killingsworth v. Ted Russell Ford, Inc.*, 205 S.W.3d 406, 408 (Tenn. 2006)).

As a threshold matter, we first address the State’s assertion that the pro se Petitioner waived his claims on appeal by failing to comply with the applicable rules governing appellate briefs. We agree with the State that the Petitioner’s brief does not comply with the requirements of Rule 27 because although the argument portion of his brief contains citations to relevant authorities, it contains no citations to the record and does not include an explanation of how those authorities apply to his case. *See* Tenn. R. App. P. 27(a)(7) (providing that the argument section of the appellant’s brief “shall contain” the appellant’s assertions as to the issues raised “and the reasons therefor . . . including the reasons why the contentions require appellate relief, with citations to the authorities and appropriate references to the record”). Accordingly, the Petitioner has waived his claims. Waiver notwithstanding, the Petitioner is not entitled to relief as the petition fails on the merits.

First, the Petitioner failed to attach his original petition to the present petition or provide a satisfactory reason for his failure. *See* T.C.A. § 29-21-107(b)(4); *see also* *Lowe v. State*, No. E2022-00285-CCA-R3-HC, 2022 WL 13899444, at *4 (Tenn. Crim. App. Oct. 24, 2022) (concluding that the petitioner’s explanation that his previous habeas corpus petitions were “lost” did not “excuse his failure to comply with Code section 29-21-107(b)(4)”) (quoting *Goines v. State*, No. E2004-03018-CCA-R3-HC, 2005 WL 1798635, at *1 (Tenn. Crim. App. July 29, 2005)). Thus, summary dismissal of the petition for writ of habeas corpus in this case was proper on this ground alone, *see* *Summers v. State*, 212 S.W.3d 251, 260 (Tenn. 2007) (“A trial court properly may choose to summarily dismiss a petition for failing to comply with the statutory procedural requirements.”).

Moreover, this court has considered and rejected the Petitioner’s repeated challenges to the validity of his arrest and the probable cause supporting it. *See Ragland*, No. 2018 WL 4692874, at *1 (rejecting challenge pursuant to Tennessee Rule of Appellate Procedure 36.1 to “the procedural steps leading to his arrest and subsequent conviction”); *Ragland*, 2014 WL 6203884, at *9 (dismissing appeal but holding the Petitioner’s claim that arrest not supported by probable cause “if true, would render his conviction voidable, not void”); *Ragland*, 2013 WL 967769, at *6 (rejecting challenge to “probable cause to arrest him for the victim’s murder” because “the facts are to the contrary”); *Ragland*, 2009 WL 4825182, at *8 (affirming “trial court’s holding that the police had probable cause to hold the Defendant as a suspect in the victim’s murder”).

Issues “decided and disposed of in a direct appeal” cannot be relitigated in habeas corpus proceedings. *Long v. State*, 510 S.W.2d 83, 87 (Tenn. Crim. App. 1974). Moreover, the valid indictment charging the Petitioner cured any issues related to his arrest. *See, e.g., Logan v. Vantell*, No. W2022-01413-CCA-R3-HC, 2023 WL 4014725, at *2 (Tenn. Crim. App. June 15, 2023) (“It is well-settled that a valid indictment cures any defect in the underlying arrest warrant.”) (citing *State v. Campbell*, 641 S.W.2d 890, 893 (Tenn. 1982)). Accordingly, the Petitioner is not entitled to habeas corpus relief on this claim.

Conclusion

For the foregoing reasons, we affirm the habeas corpus court’s summary dismissal of the petition.

s/ *Stacy L. Street*

STACY L. STREET, JUDGE