

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON

FILED

10/01/2026

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. PAUL J. SPRINGER, SR.

Criminal Court for Shelby County
No. C2103935

No. W2026-01513-CCA-R10-CD

ORDER

The Defendant, Paul J. Springer, Sr., seeks a stay of execution of judgment and an extraordinary appeal. Tenn. R. App. P. 7 and 10. He is *pro se*. For context, the Court recounts the following procedural history of this matter. The Defendant was previously charged with two counts of forgery in an amount of \$60,000 or more but less than \$250,000. *State v. Springer*, No. W2024-00849-CCA-R3-CD, 2025 WL 1939151 (Tenn. Crim. App. July 15, 2025). The jury trial on those charges ended in a mistrial. *Id.* However, during trial, the Defendant was twice held in direct contempt of court. *Id.* The trial court imposed consecutive ten-day sentences to serve in jail. *Id.* The judgments were filed in October 2019. *Id.* In August 2022, the Defendant filed a motion to dismiss the contempt charges under Tennessee Rule of Criminal Procedure 42. *Id.* The trial court denied that motion in May 2024. *Id.* The Defendant, by and through appointed counsel, appealed. *Id.* This Court dismissed that appeal for lack of jurisdiction on July 15, 2025. *Id.* Appointed counsel was subsequently allowed to withdraw pursuant to Supreme Court Rule 14. The Defendant did not file an application for permission to appeal, and mandate issued on September 17, 2025.

In November 2025, the Defendant filed a motion in the trial court requesting permission to pursue to the supreme court a delayed appeal from this Court's July 2025 opinion. The trial court denied that motion on November 14, 2025. The Defendant appealed. Docket No. W2025-01945-CCA-R3-CD. The record was filed on March 24, 2026. The Defendant did not file a brief before the expiration of the applicable deadline, however. Tenn. R. App. P. 29(a). Thus, on May 4, 2026, the Court ordered him to do so within thirty days or face dismissal. The Defendant did not file a brief as ordered. Consequently, on June 18, 2026, the Court dismissed this appeal. Mandate subsequently issued on August 24, 2026. On September 18, 2026, the Defendant moved to recall the

mandate. The Court denied that motion on September 30, 2026.

In the meantime, on September 9, 2026, the trial court filed an order directing the Defendant to surrender himself to the Shelby County Sheriff's Department by 10:00 a.m. on September 30, 2026, to begin serving his twenty-day sentence on the contempt convictions. The trial court acknowledged the mandates issued in the two prior appeals, discussed above, and held that jurisdiction was restored to it for execution of judgment. *See* Tenn. R. App. P. 42(b) ("When the appellate court dismisses the appeal or affirms the judgment and the mandate is filed in the trial court, execution may issue and other proceedings may be conducted as if no appeal had been taken."). On September 25, 2026, the Defendant filed a "Motion to Stay Execution of Sentence/Judgment." Therein, he referenced his medical conditions and the motion to recall mandate he filed in Docket No. W2025-01945-CCA-R3-CD. The trial court denied that motion on September 29, 2026. The court found "no good cause has been shown that would warrant a stay of execution of a sentence ordered some almost 7 years ago." That same day, the Defendant filed a "Renewed Motion to Stay Execution of Sentence/Judgment." The trial court denied it on, also on the same day.

The Defendant now seeks review of those orders and a stay of the execution of the judgments of the contempt convictions pursuant to Rules of Appellate Procedure 7 and 10. The motion for stay is denied. Rule 7 only applies to civil actions. Tenn. R. App. P. 7, Advisory Commission Comments ("Nothing in this or any other of these rules governs the availability of stays in criminal actions."). This matter involves convictions for criminal contempt arising out of a criminal case. Rule 7 is inapplicable.

The application for an extraordinary appeal is also denied. An extraordinary appeal may be granted from an interlocutory order of a trial court if this Court determines the trial court "has so far departed from the accepted and usual course of judicial proceedings as to require immediate review" or "if necessary for complete determination of the action on appeal." Tenn. R. App. P. 10(a). As described in the Advisory Commission Comment to Rule 10, "[t]he circumstances in which review is available . . . are very narrowly circumscribed to those situations in which the trial court . . . has acted in an arbitrary fashion, or as may be necessary to permit complete appellate review on a later appeal."

As the Tennessee Supreme Court has explained:

An appellate court should grant a Rule 10 extraordinary appeal only when the challenged ruling represents a fundamental illegality, fails to proceed according to the essential requirements of the law, is tantamount to the denial of a party's day in court, is without legal authority, is a plain or palpable abuse of discretion, or results in either party losing a right to interest that may

never be recaptured.

Gilbert v. Wessels, 458 S.W.3d 895, 898 (Tenn. 2014) (citing *State v. McKim*, 215 S.W.3d 781, 791 (Tenn. 2007); *State v. Willoughby*, 594 S.W.2d 388, 392 (Tenn. 1980)). Appeals pursuant to Rule 10 “are reserved only for *extraordinary* departures from the accepted and usual course of judicial proceedings.” *Id.* (emphasis in original). Here, the trial court did not “so far departed from the accepted and usual course of judicial proceedings as to require immediate review.” The mandates in the Defendant’s two prior appeals have since issued. Thus, the trial court correctly held it now has the authority to enforce the judgments of conviction. Tenn. R. App. P. 43(b).

For these reasons, the Defendant’s Rule 7 motion and Rule 10 application are denied. Costs are taxed to him.

Dyer, Campbell, Wilson, JJ.