

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE

FILED

10/30/2026

Clerk of the
Appellate Courts

COREY DENZAL WILLIAMS v. STATE OF TENNESSEE

**Criminal Court for Sumner County
No. 2025-CR-718**

No. M2026-01652-CCA-T10B-CO

ORDER

This matter is before the Court upon petition of the Petitioner, Corey Denzal Williams, for an accelerated interlocutory appeal as of right pursuant to Supreme Court Rule 10B, section 2. The Petitioner seeks review of the trial judge's order denying his motion to recuse. Upon review, and for the reasons stated below, the petition is denied.

Background

Following a jury trial, the Petitioner was convicted of first-degree murder, reckless endangerment, aggravated assault and false imprisonment, for which he received an effective sentence of life imprisonment without the possibility of parole plus eight years. On direct appeal, this Court found the evidence sufficient to support the first-degree murder conviction and otherwise affirmed the reckless endangerment conviction, but it reversed the convictions for aggravated assault and false imprisonment and remanded those charges for a new trial. *State v. Williams*, No. M2023-01070-CCA-R3-CD, 2024 WL 3649780 (Tenn. Crim. App. Aug. 5, 2024), *perm. app. denied* (Tenn. Feb. 20, 2025). As to the reversal of those two convictions, this Court held the trial court erred in denying the Petitioner's pretrial motion to sever those charges from the other two charges. *Id.* It appears the State later dismissed the aggravated assault and false imprisonment charges.

On November 4, 2025, the Petitioner filed a *pro se* petition seeking post-conviction relief. Tenn. Code Ann. §§ 40-30-101, *et seq.* He also filed a *pro se* motion to recuse the trial judge. Tenn. Sup. Ct. R. 10B, sec. 1.01. The copy of that motion included in the appendix to the instant petition does not reflect a trial court clerk file stamp date, however. As the Petitioner stated in that motion, he "preserved the right to present this motion during" the prior hearing on his motion for new trial on July 7, 2023. As reflected in the transcript of that hearing, trial counsel informed the judge the Petitioner "indicated [to him] that the Court was unfair or prejudicial and asked about a recusal motion." Counsel then stated: "I have indicated I didn't think there was a factual basis for that." However, the

Petitioner apparently asked counsel to inform the court that he intended to file a motion to recuse during any subsequent post-conviction proceeding.

On November 24, 2025, the trial court appointed counsel to represent the Petitioner. In that order, the court acknowledged the prior filing of the *pro se* motion to recuse and stated it would be heard on January 5, 2026. On December 17, 2025, the trial judge permitted that attorney to withdraw and appointed a new attorney to represent the Petitioner. On January 8, 2026, the trial judge permitted the second attorney to withdraw and appointed current counsel to represent the Petitioner. Co-counsel, appearing *pro bono*, filed a notice of appearance on April 13, 2026. It is unclear whether the judge ruled on the *pro se* motion to recuse. On July 10, 2026, counsel and co-counsel filed a motion to recuse on the Petitioner's behalf. They stated therein:

Here, Petitioner does not seek recusal based upon any individual adverse ruling, nor does he allege actual bias, prejudice, or judicial misconduct. Rather, Petitioner respectfully submits that the cumulative procedural posture of this case presents the unusual circumstances contemplated by Rule 2.11. The pending Petition for Post-Conviction Relief requires the Court to adjudicate constitutional challenges arising from proceedings in which it exercised substantial discretion at every material stage of the criminal case, including rulings that were later subjected to extensive appellate review and resulted in a partial reversal by the Tennessee Court of Criminal Appeals. Whether those cumulative circumstances would cause a reasonable person to question the Court's impartiality is the issue presented by this Motion.

Similarly, counsel argued:

Here, the Court presided over every material stage of the criminal proceedings. It made detailed factual findings in denying severance, ruled upon evidentiary issues throughout trial and sentencing, conducted both sentencing proceedings, made credibility and sentencing determinations concerning the same underlying conduct, denied Petitioner's Motion for New Trial, and thereafter saw portions of those proceedings become the subject of extensive appellate review resulting in a partial reversal. The pending Petition for Post-Conviction Relief now requires the Court to adjudicate constitutional challenges arising from those same proceedings.

Following a hearing, the judge denied the motion to recuse. In his written order, he issued the following ruling:

The Petitioner [] alleged that “[F]ollowing the denial of severance, the Court presided over Petitioner’s jury trial and ruled upon evidentiary issues” concerning those counts. There was no testimony at the evidentiary hearing on the Motion to Recuse. This Court did make evidentiary rulings on these counts during the jury trial, but no differently than the Court has done through many jury trials over the last twenty (20) years as Criminal Court Judge. There are no specific allegations that would trigger any finding that a reasonable person could question the objectivity of the Court’s participation in the Post Conviction Relief proceedings.

The Petitioner’s argument apparently asks for a finding that, as a matter of law, a trial judge that has been reversed or remanded by the Criminal Court of Appeals in ruling upon a severance of counts - where those counts were later dismissed by the State - cannot later be involved in the post-conviction proceedings on that case. That is not reasonable, as many trial judges would have to be recused with replacement judges that never participated in the jury trial.

Further, there have been no specific allegations about any conduct of the Court at any time from Petitioner’s arraignment, September 21, 2018, until the hearing on the Motion to Revoke on July 17, 2026, that would trigger any reasonable person to think this could not be fair and impartial during the upcoming Post Conviction Relief matters.

It does not appear counsel has yet to file an amended post-conviction petition on behalf of the Petitioner.

Tennessee Supreme Court Rule 10B

Any party seeking disqualification, recusal, or a determination of constitutional or statutory incompetence of a judge of a court of record, or a judge acting as a court of record, shall do so by a written motion filed promptly after a party learns or reasonably should have learned of the facts establishing the basis for recusal. The motion shall be filed no later than ten days before trial, absent a showing of good cause which must be supported by an affidavit. *The motion shall be supported by an affidavit under oath or a declaration under penalty of perjury on personal knowledge and by other appropriate materials. The motion shall state, with specificity, all factual and legal grounds supporting disqualification of the judge and shall affirmatively state that it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the*

cost of litigation. A party who is represented by counsel is not permitted to file a pro se motion under this Rule.

Tenn. Sup. Ct. R. 10B, sec. 1.01 (emphasis added). If the trial judge denies the motion, the party may then file a petition for appellate review, as the Petitioner has done here. The petition must be filed within twenty-one days of the trial court's order, and the appealing party is required to promptly file a copy of the petition with the trial court clerk and serve all other parties. Tenn. Sup. Ct. R. 10B, sec. 2.02. Rule 10B, section 2.03, further requires the petition to include a statement of the issues presented for review, a statement of the relevant facts, a supporting argument requesting specific relief, as well as copies of the motion and all supporting documents filed in the trial court, the trial court's order or opinion, and any other parts of the record necessary for determination of the appeal. If this Court determines, based on the petition and supporting documents, that an answer from any other party is unnecessary, the Court may act summarily on the appeal. Tenn. Sup. Ct. R. 10B, sec. 2.05. The Court will act summarily on the timely-filed petition at hand.

Standard of Review and Law on Recusal

This Court reviews a trial court's ruling on a motion to recuse under a *de novo* standard of review. Tenn. Sup. Ct. R. 10B, sec. 2.01. "A judge should grant a motion to recuse when the judge has any doubt as to his or her ability to preside impartially in the case or when a person of ordinary prudence in the judge's position, knowing all of the facts known to the judge, would find a reasonable basis for questioning the judge's impartiality." *Smith v. State*, 357 S.W.3d 322, 341 (Tenn. 2011) (internal quotation omitted). "Hence, the test is ultimately an objective one since the appearance of bias is as injurious to the integrity of the judicial system as actual bias." *Davis v. Liberty Mut. Ins. Co.*, 38 S.W.3d 560, 564-65 (Tenn. 2001).

A judge's duty to recuse springs from a constitutional source: Article VI, section 11 of the Tennessee Constitution provides that "[n]o Judge of the Supreme or Inferior Courts shall preside on the trial of any cause in the event of which he [or she] may be interested . . ." Our Supreme Court has explained "[t]he purpose of Article 6, § 11 of our Constitution is to insure every litigant the cold neutrality of an impartial court." *Leighton v. Henderson*, 414 S.W.2d 419, 421 (Tenn. 1967). Similarly, the Code of Judicial Conduct requires a judge to perform the duties of his or her office without bias or prejudice. Tenn. Sup. Ct. R. 10, R. 2.3(A). Accordingly, the Code demands that "[a] judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned." *Id.*, R. 2.11(A). One such circumstance described by the Code is when "[t]he judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding." *Id.*, R. 2.11(A)(1).

“The words ‘bias’ and ‘prejudice’ are central to the determination of whether a recusal should be granted.” *State v. Rimmer*, 250 S.W.3d 12, 38 (Tenn. 2008). “Generally, the terms refer to a state of mind or attitude that works to predispose a judge for or against a party.” *Alley v. State*, 882 S.W.2d 810, 821 (Tenn. Crim. App. 1994). This Court certainly acknowledges that not every bias, partiality, or prejudice merits recusal. *Id.* “To disqualify, prejudice must be of a personal character, directed at the litigant, must stem from an extrajudicial source and result in an opinion on the merits on some basis other than what the judge learned from . . . participation in the case.” *Id.* (internal quotation omitted). Further, “[a]dverse rulings by a trial court are not usually sufficient grounds to establish bias” and “[r]ulings of a trial judge, even if erroneous, numerous and continuous, do not, without more, justify disqualification.” *Id.* (citations omitted). Finally, “[w]hen a trial court’s comments indicate that the judge has prejudged factual issues, Tennessee courts have required disqualification.” *Id.* at 822.

Discussion

In the petition before this Court, counsel advances the same “cumulative circumstances” argument they presented in the motion to the trial judge. For context, the Court hereby quotes the following passages from counsel’s petition:

The question presented is whether the cumulative circumstances of this case would cause a person of ordinary prudence, knowing all relevant facts, to reasonably question the trial judge's impartiality in adjudicating Petitioner's pending post-conviction claims. Those circumstances include the Trial Court’s prior statements and findings concerning Petitioner’s character and rehabilitative potential, the confrontation between Petitioner and the Court during sentencing, the subsequent partial appellate reversal, and the Court’s renewed expressions concerning the strength of the State’s evidence during the recusal hearing.

Petitioner does not allege actual bias, judicial misconduct, or that the trial judge is personally incapable of deciding the post-conviction proceeding fairly. Nor does Petitioner contend that an adverse ruling, appellate reversal, or unfavorable judicial statement, standing alone, requires recusal. Rather, Petitioner submits that these circumstances, considered collectively and in the context of the constitutional claims now before the Trial Court, create a reasonable basis for questioning the appearance of judicial impartiality under Tennessee Supreme Court Rule 10, Rule 2.11(A). Accordingly, Petitioner respectfully seeks reversal of the order denying recusal and reassignment of the post-conviction proceeding.

. . .

Here, the circumstances extend beyond the Trial Court’s familiarity with the underlying prosecution. At the January 6, 2023 sentencing hearing, the Court made strongly unfavorable assessments of Petitioner’s character, credibility, and rehabilitative potential. During a contentious exchange, Petitioner accused the Court of bias and dishonesty, disputed its characterization of the evidence, and was ultimately removed from the courtroom. . . . Later in that proceeding, the Court described Petitioner as “a defiant man with no conscience,” adding: “He’s like a psychopath. He manifests amoral and antisocial conduct.” . . .

Those remarks arose during sentencing, when the Court was required to assess Petitioner’s conduct and rehabilitative potential. Petitioner does not suggest that making such assessments was itself improper. Their significance lies in the strength and personal nature of the Court’s expressed conclusions, considered alongside the confrontation that preceded them and the Court’s subsequent statements about the evidence.

As noted above, however, trial counsel “didn’t think there was a factual basis” supporting any of the Petitioner’s allegations of the trial judge’s bias or prejudice at the time. In their petitioner currently before this Court, counsel also highlight a comment the judge made during the recent hearing on the motion to recuse when the judge was recounting the history of the case and the sufficiency of the convicting evidence: “I submit that that proof in and of itself will stand up anywhere, anytime beyond a reasonable doubt in any trial.” Again, this Court held that the evidence was sufficient to sustain the first-degree conviction. *Williams, supra*.

Initially, this Court observes counsel did not serve the instant petition on the trial court clerk. Tenn. Sup. Ct. R. 10B, sec. 2.02. Aside from that noncompliance, and as explained below, the motion to recuse filed by counsel on July 10, 2026, was not in line with the requirements of Rule 10B, section 1.01. Any motion filed in the trial court must *strictly* comply with those requirements, and a party’s failure to do so authorizes a trial court to deny the motion. *See, e.g., StoneyBrooke Investors, LLC v. McCurry*, No. E2024-00253-COA-T10B-CV, 2024 WL 837942 at *2 (Tenn. Ct. App. Feb. 28, 2024), *perm. app. denied* (Tenn. Mar. 22, 2024); *State v. Rogers*, No. E2013-00909-CCA-R3-CD, 2014 WL 1423241 (Tenn. Crim. App. Apr. 11, 2014), *perm. app. denied* (Tenn. Nov. 12, 2014).

Upon a *de novo* review, this Court concludes the trial court should have summarily denied counsel’s motion to recuse. The attorney appointed by the trial court on January 8, 2026, to represent the Petitioner personally signed the motion to recuse, but his co-counsel personally signed and dated the certificate of service on July 10, 2026. However, neither

attorney “affirmatively stated [anywhere in the motion] that it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.” Tenn. Sup. Ct. R. 10B, sec 1.01. Instead, the motion is accompanied by “Declaration of Petitioner,” which states:

I, Corey Williams, declare under penalty of perjury pursuant to Tennessee Supreme Court Rule 10B that the factual statements in the foregoing Motion that are based upon my personal knowledge are true and correct to the best of my knowledge, information, and belief. I further declare that I have authorized the filing of this Motion and that it is not being presented for any improper purpose, including to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.

That declaration was personally signed by the Petitioner himself on July 10, 2026.

Rule 10B, section 1.01 expressly provides “[a] party who is represented by counsel is not permitted to file a pro se motion under this rule.” *Id. See also Robinson v. State*, No. W2024-01916-CCA-R3-PC, 2026 WL 1781863 at *7 (Tenn. Crim. App. June 22, 2026) (*pro se* filing a nullity when petitioner represented by counsel); *State v. Huerta*, No. E2025-00063-CCA-R3-CD, 2026 WL 1450981 (Tenn. Crim. App. May 22, 2026) (same). Clearly, counsel represented the Petitioner at the time of the filing of the motion to recuse. Accordingly, it was counsel’s responsibility, not that of the Petitioner himself, to “affirmatively state that it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.” *Id.* Given the discussion above, it is apparent the Petitioner personally believes the trial judge is biased or prejudiced against him. However, counsel is now solely responsible for assessing those allegations. *See* Tenn. Code Ann. §§ 40-14-203 (“Scope of representation”); 40-30-115. To that end, the motion to recuse filed by counsel was required to be “supported by an affidavit under oath or a declaration under penalty of perjury [*by either attorney*] on personal knowledge and by other appropriate materials.” *Id.* It was not. Accordingly, the trial judge was authorized to outright deny the motion to recuse.

Conclusion

Thus, for the reasons stated above, this Court concludes the trial judge should have summarily denied the Petitioner’s motion to recuse. The instant petition for an accelerated interlocutory appeal as of right is, therefore, denied. Because the Petitioner is indigent, costs are taxed to the State. The Clerk shall forward a copy of this order to the trial judge.

Holloway, Easter, Ayers, JJ.