

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

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INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800-448-7970 or 615-741-2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) Review the separate instruction sheet prior to completing this document. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Assistant Public Defender, Fourth Judicial District. The Fourth Judicial District includes Jefferson, Sevier, Cocke, and Grainger Counties.

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

I was licensed to practice law in 2011. My Board of Professional Responsibility Number is 030225

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

I have been licensed to practice in Tennessee since October 2011. My license is currently active.

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

No

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

October 2011 – August 2016: Solo Practitioner – I served as court-appointed counsel for indigent defendants for whom the Public Defender's Office had a conflict. I also served as court-appointed counsel for children as Guardian Ad Litem and counsel for parents accused of abuse and neglect in Dependency and Neglect cases. I represented individuals charged with child support contempt, and on some occasions served as Guardian Ad Litem for conservatorship

cases.

August 2016 – June 2019 – I served as Assistant General Counsel for the Department of Children’s Services in the Smoky Mountain Region. I was assigned to Blount County, working under the supervision of Daniel K. Smithwick, who at that time was Regional General Counsel. The Smoky Mountain Region included Blount, Sevier, Cocke, Grainger, Jefferson, and Claiborne counties. I represented the Department of Children’s Services, prosecuting all the Dependency and Neglect, Restraining Order, and Termination of Parental Rights Petitions that the Department filed against parents who were accused of abusing or neglecting their children. During that time, I also served on the Child Protective Investigative Team (CPIT) as the Department’s legal representative. Up until that time, the legal department, even though invited, did not sit on CPIT, but I thought it was critical to ensure that the decisions of the Department on that team (whether to substantiate someone for child abuse) deserved a critical legal review.

June 2019 – present: Assistant Public Defender – Fourth Judicial District Public Defender’s Office. In this role, I represent indigent individuals accused of criminal offenses, as well as youth who are accused of delinquent offenses. I serve in Juvenile, General Sessions, and Circuit Courts. I have also appeared before the Court of Criminal Appeals. This will be explained in more detail in my answer to question number 6.

July 2018 – July 2024: Independent Business Owner with the Amway Corporation: Direct Sales to customers of various health and wellness products. I had the opportunity to learn critical people skills, leadership development, and team-building during those four years. I have continued to build on those skills.

January – May 2022: Adjunct professor of Criminal Law at University of Tennessee College of Law. I taught masters level students who were not pursuing a law degree through the College of Law’s Masters in Legal Studies program. The class was asynchronous and fully online. I wrote and recorded lectures. I created assessments for the students to demonstrate their knowledge. I was available to any of the students to call, email, or text me about any of the their concerns related to the material that I was teaching.

November-January 2022-2024: Customer Service Representative – Shadracks Light Show: I facilitated entry into the light show; I operated a Point-of-Sale System, greeted customers, troubleshooted customer problems, worked closely with the managers, co-workers, and grounds staff. This is a season light show that operates during the Thanksgiving and Christmas Holiday season.

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

At present, I am an Assistant Public Defender in Jefferson County, Tennessee. My practice is exclusively criminal defense. I represent adults charged with all levels of the criminal justice system (except for traffic offenses). The adults that I represent have been charged with criminal offenses that range from public intoxication (class C misdemeanor) to First Degree Premeditated Murder.

My practice also includes representing children accused of crimes in juvenile court. Youth representation is in some ways similar but in other ways different from adult criminal defense. The social circumstances of the child are much more important to the resolution of a child's delinquent matter than the State is often willing to consider in adult criminal defense. Additionally, the stated purpose of juvenile court is rehabilitation, not retribution, so all parties to a delinquent action are encouraged to work together for a successful resolution for the child that gets to the root of the bad behavior. While rehabilitation is one of the goals of the adult penal system, so are punishment and retribution.

7. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters.

I began my legal career in 2011 when I started taking appointed cases in Blount, Loudon, Morgan, Anderson, and Roane counties. I was licensed to practice in October 2011 and by December 2011 I was on the list of appointed counsel in several counties. I appeared in General Sessions, Criminal, Circuit, and Juvenile courts in all of those counties. I tried preliminary hearings and bench trials. Also, during that time, I had several appellate cases and argued before the Court of Criminal Appeals and the Court of Appeals.

In August 2016, I accepted a position as Assistant General Counsel for the Department of Children's Services. In that capacity, I appeared in Juvenile Court and Circuit Court. I also handled administrative hearings in that capacity. I prosecuted contested dependency and neglect cases and Termination of Parental Rights cases. Termination of Parental Rights cases has been called the "civil death penalty." It is the proceeding where the Department is seeking to prove that a parent is no longer able to successfully parent the child and all their legal rights to the child should be removed and the child made available for adoption.

In June 2019, I began my current role as Assistant Public Defender. In that capacity I have appeared at every level of court system and have had contested hearings at every level, including five jury trials.

8. Describe any matters of special note involving your practice in trial courts, appellate courts,

and administrative bodies.

As mentioned in the answer to question #7, I have tried five jury trials, three of those jury trial results in my client being found not guilty.

My first jury trial was State of Tennessee v. Felipe Gonzalez-Martinez. Mr. Gonzalez-Martinez was charged with three counts of Rape of a Child. Mr. Gonzalez-Martinez's case was pending in Jefferson County Circuit Court for nearly 5 years before the case was tried. I inherited the case from another attorney in the office who was moving to another county in our district. Mr. Gonzalez-Martinez was found guilty by a Jefferson County jury after a two-day trial. This case is significant for me because it was the first time that I had to put all the trial skills that I had learned to the test. It was also the first time that one of my clients fully exercised his constitutional right to be tried by a jury of his peers, the bedrock of our criminal legal system. Mr. Gonzalez-Martinez exercised his right to appeal. I drafted the brief and argued the case before the Court of Criminal Appeals.

The second case I tried was with my Chief Public Defender, Rebecca Lee. I sat second chair on the case of State of Tennessee v. James Baumgardner. He was charged with more than 20 counts of Statutory Rape by an Authority Figure. After a two-day jury trial in Jefferson County, Mr. Baumgardner was acquitted of all charges.

The next case I tried was State of Tennessee v. Cody Fine. Mr. Fine was charged, along with a co-defendant, with Theft over \$1000.00 for being in possession of a trailer full of equipment that had been taken from a job site. The State was unable to prove that Mr. Fine knew that the trailer was stolen and the jury acquitted him of all charges.

The fourth jury trial was State of Tennessee v. Derek Pearson. Mr. Pearson was originally charged with Aggravated Assault. Mr. Pearson was arrested after his fiancée called the police and claimed that Mr. Pearson had violently assaulted her. The authorities based their arrest entirely on the word of the alleged victim. After the State sought a superseding indictment increasing the charge to Especially Aggravated Kidnapping and Aggravated Assault, the State eventually conceded that it could not proceed on the Especially Aggravated Kidnapping. Mr. Pearson maintained that he never assaulted the alleged victim. At the trial, we were able to establish that her injuries did not match the story that she told law enforcement. Also, Mr. Pearson's ex wife testified that during the entirety of their relationship, Mr. Pearson had never been violent with her. At the end of the trial, the jury acquitted Mr. Pearson of all charges.

My final jury trial was State of Tennessee v. Billy Gene Sliger. Mr. Sliger was charged with two counts of Rape of a Child and one count of Aggravated Sexual Battery. From the beginning of the case Mr. Sliger maintained his innocence. In that case we litigated several motions, which narrowed the issues for the jury to decide. After a two-day jury trial, Mr. Sliger was found guilty by a Jefferson County jury. The case is still being appealed.

9. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

There are several moments in my legal career that are memorable. There is one very significant moment that stands out to me and it comes from a very short representation of a young man in juvenile court. He was passing through Tennessee with his older brother. His brother was driving the car. There was another young man in the front passenger seat of the car. My client, 17 years old, was sitting in the back seat. Law enforcement stopped the car for a traffic violation. The older brother and the other adult male were arrested. My client was charged with simple possession and detained because he was a minor and did not have an appropriate custodian in Tennessee. I was appointed to represent him at his detention hearing.

The Court detained him until the final hearing in his case and even suggested that my client could possibly go into foster care because he did not have a guardian in Tennessee. But my client, a 17-year-old boy from Flint, Michigan, heard the Court say that he was going to be locked up until he turned 18. In his traumatized state he could not differentiate between "foster care" and "jail." Upon hearing this he had a complete emotional breakdown. He broke the furniture in the room. He threw pieces of the furniture against the ceiling and the walls. He put holes in the walls. Almost instantly, what seemed like every officer in the county appeared at the Jefferson County Justice Center and tried to subdue him. They put his hands behind his back and took him down to the floor, three police officers with their knees in his back. This child was thin-framed. He could not have weighed more than 150 pounds. He looked at me, with tears in his eyes and said, "Ms. Attorney Lady, help me. Please. They gon' kill me." I have never seen so much sadness in a child. I confidently told him, with more police officers surrounding him and me that as long as I was standing there, they would not do it. I said, "Calm down baby, please don't make them fight you. I'm right here with you. I won't let them hurt you." After several minutes he calmed down and was taken back to juvenile detention.

His outburst resulted in more charges against him. The next day, after he calmed down, he appeared before the Court again and was kind, and apologetic. Ultimately, we were able to resolve the case and get him back to his family in Michigan. His mother rode the Greyhound bus from Flint Michigan to Knoxville, Tennessee and picked him up from juvenile detention and took him back with her to Michigan. I think of that young man often. Just those few weeks representing him taught me that all of us are better than the worst thing that we have ever done, and with a little compassion, all stakeholders can come together for a successful resolution to a case that looks like it cannot be resolved.

What I most admired during that case was the compassion of the prosecutor and the Judge. Both had every incentive to hand out the harshest punishment allowable, but each of them chose to see the boy's actions for what they were; the results of a scared and traumatized child. They treated him just like a scared and traumatized child.

10. List and describe all prior occasions on which you have submitted an application for any state or federal judicial position.

This is my first application for a judicial position.

EDUCATION

11. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

Spelman College, 2004-2008, Bachelor of Arts in Sociology and Criminology, French Minor, Summa Cum Laude

University of Tennessee College of Law, 2008-2011, Doctor of Jurisprudence

PERSONAL INFORMATION

12. State your date of birth.

[REDACTED]

13. How long have you lived continuously in the State of Tennessee?

I have lived in Tennessee my entire life, except for 2004-2008 during my collegiate years.

14. How long have you lived continuously in the county where you are now living?

I have lived in Knox County since birth, except for 2004-2008 during my collegiate years. However, during fall, spring and summer breaks, I returned to Knox County.

15. State the county in which you are registered to vote.

Knox

16. Describe your military service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

None

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any

law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

No

18. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

No

19. Please identify the number of formal complaints you have responded to that were filed against you with any supervisory authority, including but not limited to a court, a board of professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

None

20. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No tax liens, but I do have three medical debts that are in collections. I lost health insurance when I was in college and had some medical issues that had to be addressed. I went straight from college to law school, moving back home so that I could focus on my educations. I did not wish to shoulder the responsibility of my debts on my aunt. On at least one occasion, my wages were garnished to satisfy one of those medical debts.

21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

No.

22. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a

foreclosure proceeding.

Yes. Troy Jones v. Julie Rice, Karen Vogel and Cashauna Lattimore, Knox County Circuit Court, Case No. 1-140-20. Mr. Jones filed an action of civil conspiracy and malicious prosecution against Julie Rice, Karen Vogel, and myself for advising the Board of Professional Responsibility that he improperly inflated his bill when he handled the defense of Attorney Robert Vogel in the Board of Professional Responsibility Proceedings. He filed the lawsuit after he prevailed at his disciplinary hearing. In March 2024, the matter was dismissed.

23. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

The GIRL Institute, Secretary of the Board of Directors, at present

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.
- If so, list such organizations and describe the basis of the membership limitation.
 - If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

No

ACHIEVEMENTS

25. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

Tennessee Bar Association

Jefferson County Bar Association

Tennessee Association of Criminal Defense Lawyers

26. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional accomplishments.

27. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

None

ESSAYS/PERSONAL STATEMENTS

28. What are your reasons for seeking this position? *(150 words or less)*

I have experienced the criminal justice system from both sides of the adversarial process. I was a witness in the prosecution of my father's killer. I met with the prosecutors, one of whom is on the bench now in Knox County Criminal Court Division 2, Judge Sanchez. I was a bridge between my family, who did not understand the system, and the prosecution team. I explained to them why the Assistant District Attorneys decided to charge my father's killer with First Degree Felony Murder. I also explained that there was a strong possibility the jury would find him guilty of Second Degree Murder. They were not satisfied, but they accepted the verdict and 21-year prison sentence. The experience from both sides is what makes me the best candidate for the position.

29. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*

I am seeking the position of Sixth Judicial District Criminal Court Judge, Division I, which is exclusively Knox County, Tennessee. Knox County Criminal Court handles exclusively criminal cases, particularly cases tried to a jury. I was born and raised in Knoxville, Tennessee. I have spent all my professional career residing in Knox County. However, I have had limited appearances in Knox County courts since being licensed to practice law. I have not appeared in any professional capacity in Knox County Criminal Court. My professional distance is an asset to the position. There will be limited turnover of cases and very few conflicts of interest. There will be less cases where recusal is necessary. Additionally, being local lends credibility to the office, making it respectable. What makes a successful and fair

judge is the ability to tailor the punishment to the crime and the person and not go beyond.

30. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. *(250 words or less)*

I believe in the rule of law. I believe in the assurance that the rule of law provides, the assurances that we must conform our behavior to the standards that society has set. It is the legislature's job to make the law and it is the judiciary's job to interpret the law. It is not the place of the judge to question the substance of the law. It is the job of any fair judge to apply the law as it is written, to ensure that it is applied fairly, and that above all, it meets the standards set forth by the Constitution of the United States and the State of Tennessee.

As a lawyer, I am bound to abide by laws with which I disagree. Every time I advise a client that is in their best interest to enter a guilty plea because the proof is great despite the client's insistence that she is innocent is an example of me upholding the law despite my disagreement with it. Every client deserves his or her day in court. Every client deserves to have a jury of his or her peers decide if the State can uphold its constitutional burden. However, our system does not allow every client to exercise those rights. Sometimes, as a public defender, I must advise my client to accept the consequences they can live with rather than gamble with the rest of their future. That is never an easy conversation.

REFERENCES

31. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A. Rebecca Vance Lee, District Public Defender, Fourth Judicial District, Office: 865-471-2160, Cellular: [REDACTED] Email: [REDACTED]

B. Jeremy D. Ball, Circuit Court Judge, Fourth Judicial District, Pt. 4, Cellular: [REDACTED] Email: [REDACTED]

C. Lisa L Lamb, East Tennessee Human Resources Agency Probation Officer, Cellular: [REDACTED] Email: llamb@ethra.org.

D. Robin Huges, Legal Secretary, Fourth Judicial District, Cellular: [REDACTED] Email: [REDACTED]

E. Daniel K. Smithwick, Assistant General Counsel, Department of Children's Services, Formerly Regional General Counsel, Department of Children's Services. Cellular: [REDACTED]

Email: Daniel.Smithwick@tn.gov.

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the Criminal Court for Knox County, Division 1 of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: May 9, 2025


Signature

When completed, return this questionnaire to John Jefferson at the Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



**TENNESSEE TRIAL COURT VACANCY COMMISSION
ADMINISTRATIVE OFFICE OF THE COURTS**

511 UNION STREET, SUITE 600
NASHVILLE CITY CENTER
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY
TENNESSEE BOARD OF JUDICIAL CONDUCT
AND OTHER LICENSING BOARDS**

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to,

recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

Cashauna Lattimore
Type or Print Name


Signature

5/9/2025
Date

030225
BPR #

Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.
