

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 District Attorney for Office of the District Attorney General for the Sixth Judicial District

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

2013

BPR # 031947

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.

Tennessee, October 15, 2013, BPR # 031947. My license in Tennessee is 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).

Not applicable.

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).

Assistant District Attorney, Office of the District Attorney General for the Sixth Judicial District, Knoxville, TN, 2022-present

Associate Attorney, The Isaacs Law Firm, Knoxville, TN, 2014-2022

Associate Attorney, The Law Office of Jamie B. Naini, Memphis, TN, 2014

Clerk, The Isaacs Law Firm, Knoxville, TN, 2013-2014

My first job was as a store clerk at a locally owned grocery store called Butler & Bailey Market in Knoxville. I was employed there from 2003-2005 and worked primarily during the summer. I was responsible for bagging groceries, stocking shelves, and cleaning the store and restrooms. During the summers from 2006 through 2010, I was employed at Cherokee Country Club in Knoxville as an assistant swim coach. I was responsible for developing practices for swimmers ranging in ages from five years old up to 18 years old and of varying ability levels. Additionally, I assisted with setting meet lineups for swim meets where approximately 75 swimmers from the team would compete.

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.

As an Assistant District Attorney, I am presently assigned to the White-Collar Unit in the Office of the District Attorney General for the Sixth Judicial District. As a member of the White-Collar Unit, I handle complex financial crimes, fraud, organized retail crime, and public corruption. Accordingly, my practice is devoted 100% to criminal prosecution.

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.

The bulk of my career has been spent handling criminal matters as either a defense attorney or prosecutor. During my time as a licensed attorney, I have appeared in either general sessions, criminal, circuit, or chancery courts in the following counties: Anderson, Blount, Bradley, Campbell, Claiborne, Cocke, Cumberland, Grainger, Hamblen, Hawkins, Jefferson, Knox, Loudon, Morgan, Putnam, Roane, Rutherford, Sevier, Sullivan, and Union. Additionally, I have represented clients before the Tennessee Court of Criminal Appeals, the Tennessee Supreme Court, United States Immigration Court, United States District Court for the Eastern District of Tennessee, and the Sixth Circuit Court of Appeals. As a defense attorney I have handled cases from pre-charge through trial and appeal. Similarly, as a prosecutor I have handled cases from pre-charge through trial and post-trial. Overall, I have tried approximately 25-30 cases before a jury.

I began my legal career as a licensed attorney in 2013 in private practice where my practice centered on criminal defense, outside of when I practiced in Memphis which centered on immigration law. I also have experience with personal injury cases, employment matters, land use and zoning, U-visas for crime victims, and false claims matters. Additionally, I have

represented students and student-athletes in student conduct proceedings at The University of Tennessee and represented one student-athlete in an appeal with the NCAA concerning a transfer waiver from another Southeastern Conference member institution to The University of Tennessee to play football. The criminal matters I handled varied and ranged from speeding tickets to first degree murder and included nearly every type of charge, including but not limited to: driving offenses, rape, sexual exploitation, child sexual and physical abuse, financial crimes, public corruption, and homicides of varying degrees. My responsibilities included litigation of cases from pre-charge to trial which included reviewing discovery, drafting motions, developing defense strategies, and conferring with clients which often required visitation at local jails/detention facilities and prisons.

I also handled post-trial matters such as motions for new trial, petitions for post-conviction relief, writs of error coram nobis, and appeals. During my career, I have briefed approximately 12 cases and argued approximately six cases in the Tennessee Court of Criminal Appeals. Some of these were direct appeals following convictions at trial and some were appeals from a post-conviction court's denial of a petition for post-conviction relief or writ of error coram nobis. If the Appellate Court did not rule in a client's favor, I would draft and file a Rule 11 Application for Permission to Appeal to the Tennessee Supreme Court.

I left private practice in 2022 to enter public service as an Assistant District Attorney for the Sixth Judicial District. I was initially assigned to Criminal Court Division II, which at the time was presided over by Judge Kyle A. Hixson. Our office generally calls this position a "table attorney." As the table attorney for Criminal Court Division II, I handled cases that were not assigned to one of the office's specialized prosecution units. The bulk of the cases were property and assaultive offenses. In this role I appeared in court daily and managed a large docket. In addition to my courtroom responsibilities, I was responsible for providing discovery to the defense in each case, consulting with victims regarding the pending matter, and reviewing cases and preparing cases for presentation before the Knox County Grand Jury. I remained in this position until September 2022.

Next, I was assigned to the White-Collar Unit which is one of the office's specialized prosecution units. I remained in this position through December 2022. In January 2023, I returned to the White-Collar Unit. The White-Collar Unit specializes in the prosecution of complex financial crimes, fraud, organized retail crime, and public corruption. As a member of the White-Collar Unit, I represent the State in Knox County General Sessions Court and Knox County Criminal Court. I appear in court nearly every day. I am tasked with handling all aspects of the pending matters, including responding to motions and representing the State at motion hearings, and reviewing investigative files which often involve complex crimes and require detailed analysis to determine if charges should be pursued and, if so, what charges are appropriate under the law and facts of each investigation. In doing so, I regularly consult investigators regarding investigations from agencies such as the Knoxville Police Department, the Knox County Sheriff's Office, and the Tennessee Department of Revenue.

From January 2023 through December 2024, I was assigned to another specialized prosecution unit, the Child Abuse Unit. As a member of the Child Abuse Unit, I had two primary responsibilities: 1) handling all aspects of cases that were pending in either Knox County

General Sessions Court and/or Knox County Criminal Court; and 2) reviewing investigative files to determine whether a case would be presented to the Knox County Grand Jury and if so, preparing the case for the Grand Jury's review. For cases that were charged, I was responsible for appearing in court, drafting motions and responses to defense motions, conferring with victims regarding the status of cases, and preparing cases for trial and proceeding to trial. During my time as a member of the unit, I was assigned the most investigative files for review each year. I would review the files prepared by the law enforcement agency which was generally the Knoxville Police Department or the Knox County Sheriff's Office. In reviewing the investigative file, I would consult with the investigator and if needed, recommend additional investigatory steps to be completed before a final charging determination. Ultimately, I would be tasked with determining if a case was prosecutable. If charges were warranted under the facts and the law, I would prepare the case for review by the Knox County Grand Jury. Additionally, as a member of the Child Abuse Unit, I regularly represented the office at Child Protective Investigative Team meetings and Child Fatality Review meetings.

Additionally, while employed as an Assistant District Attorney I have participated in training for law enforcement officers and assisted with the Citizens Academy which allows members of the community a behind-the-scenes look at the criminal justice system culminating in a mock trial for the participants.

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

State of Tennessee v. Cody Bales, Knox County Criminal Court, Docket No. 121030

- I served as lead counsel for the State. This case proceeded to trial twice. First, in July 2024, which resulted in a hung jury and then in November 2024 which resulted in convictions as charged for rape and statutory rape. The victim and the defendant lived in the same housing complex. The defendant had been kicked out of the apartment he was living in with his sister because the defendant had sexual relations with his niece. The defendant was serving a prison sentence for his crime involving his minor niece at the time this matter went to trial. The victim testified at trial that the defendant penetrated her orally and vaginally and then fled. The jury returned a guilty verdict as to all counts charged in the Presentment. After a sentencing hearing, the trial court sentenced the defendant to 22 years to serve in the Tennessee Department of Correction. This matter is currently pending motion for new trial.

State of Tennessee v. Ray Gene Elliott, III, Knox County Criminal Court, Docket No. 120010

- I served as lead counsel for the State. This case concerned two minor female victims. One was the biological daughter of the defendant, and one was the stepdaughter of the defendant. Before trial, this case required several motion hearings to primarily address the admission of evidence under Tennessee Rule of Evidence 412. Ultimately this case

proceeded to trial where both victims testified to the sexual abuse perpetrated by the defendant. The case also required the presentation of a forensic biology scientist from the Tennessee Bureau of Investigation to testify about the presence of the defendant's DNA on one of the victim's underwear. The jury returned a guilty verdict for all counts that proceeded to trial which included rape and aggravated sexual battery. The trial court sentenced the defendant to 30 years to serve in the Tennessee Department of Correction and denied the defendant's motion for new trial. This matter is currently pending on direct appeal.

State of Tennessee v. Robin Rebecca Howington, Knox County Criminal Court, Docket No. 117659

- I served as lead counsel for the State. In this case the defendant was charged with felony murder and aggravated child neglect stemming from the death of the defendant's daughter. The proof at trial revealed that the defendant and her two children arrived at her home after playing at a park earlier in the evening. Within a few minutes, the defendant is visible on a neighbor's home surveillance camera going to her car and then going back inside her home. Then the defendant can be seen exiting the home and walking to the side of the house. It was at this time that the defendant was on the phone with E 9-1-1 reporting that her young daughter had been shot. It was also at this time that the defendant attempted to hide her gun, which discharged the bullet that killed her daughter, in bushes on the side of the house. The defendant initially reported that an unknown male entered the house and shot her daughter. However, on the way to the hospital where her daughter was transported, she was recorded on the in-cruiser camera calling an individual and inquiring if they had done what she asked. While at the University of Tennessee Medical Center, the defendant attempted to dispose of her cell phone in a bathroom. Law enforcement recovered the damaged phone and discovered text messages where the defendant asked the individual that she was recorded speaking with on the in-cruiser camera wherein she asked that person to go to her house and get the gun from the side of the house. The defendant was interviewed multiple times regarding what occurred that night and offered differing versions of events. She accused an unknown male of shooting her daughter, she accused the biological father of the victim of shooting the victim and blamed the victim's younger brother of shooting the victim. The jury convicted the defendant of reckless homicide, aggravated child neglect, false reports, and tampering with evidence. She was sentenced to 22 years to serve in the Tennessee Department of Correction. This matter is currently pending motion for new trial.

State of Tennessee v. Shanida Nico Holland, Knox County Criminal Court, Docket No. 119316

- I served as co-counsel for the State. In this case the defendant was charged with first degree murder stemming from the shooting death of her boyfriend. On the night of the victim's death, the defendant called E 9-1-1 to report that she came upon her boyfriend's apartment to find it ransacked and her boyfriend suffering from a gunshot wound. When interviewed by law enforcement she maintained that she came upon the apartment and speculated that the victim may have been involved in illegal activity. Further investigation by law enforcement included forensic examination of the victim's cell

phone. Law enforcement was able to recover multiple videos made by the victim shortly before his death. They begin with the defendant kicking in the door to the victim's apartment. The videos recorded the defendant and the victim's interaction intermittingly until the defendant walks to the porch of the apartment, opens the door and looks around and then begins to walk towards the victim. This was the last video recording. In an earlier video recording the defendant admits to shooting the victim previously and threatened to shoot him again. The jury convicted the defendant of first degree murder, false reports, and tampering with evidence. The trial court sentenced the defendant to life to be served in the Tennessee Department of Correction. This matter is currently pending motion for new trial.

Micah Ross Johnson v. State of Tennessee, No. E2019-0491-CCA-R3-PC (Tenn. Crim. App. Feb. 25, 2020), no perm. app. filed.

- This case originated in Knox County Criminal Court where Mr. Johnson was tried and convicted of first degree murder, felony murder, and especially aggravated kidnapping. See Knox County Criminal Court, Docket No. 89210. On direct appeal his convictions were affirmed for first degree murder and felony murder but his convictions for especially aggravated kidnapping were remanded for a new trial. See *State v. Micah Ross Johnson*, No. E2013-02356-CCA-R3-CD, 2015 WL 913657 (Tenn. Crim. App. March 2, 2015), perm. app. denied (Tenn. June 11, 2015). I became involved in Mr. Johnson's case after direct review was concluded and represented him in post-conviction proceedings. My responsibility was to review the trial record - which was voluminous - review trial counsel's file, and conduct further investigation into the case. At the trial, Mr. Johnson's defense team presented an insanity defense as the sole defense. And as a critical component of that defense, experts were retained to testify about Mr. Johnson's mental health and mental state at the time of the offense. One of the experts was a psychiatrist who opined that Mr. Johnson was insane at the time of the offense and drafted and submitted multiple reports to that end. During trial in this matter, counsel for the State requested the testifying expert's rough notes from his interviews with Mr. Johnson. Lead counsel obtained these notes and turned them over to the State. Within the psychiatrist's notes was a non-psychotic narrative that Mr. Johnson had provided to the psychiatrist but was not referenced in any of the reports that had been turned over to the State as reciprocal discovery. At this time, lead counsel became aware that the psychiatrist had referenced the non-psychotic narrative in the first report that had been drafted but had not been turned over to the State as lead counsel had believed the first report was a draft. The second report drafted, however, appeared to be the first report as it makes no reference to any prior reports, was not labeled in a manner that indicates there was a prior report, and omits the non-psychotic narrative. The prosecutor cross-examined the psychologist regarding the non-psychotic narrative in the rough notes and the report that was turned over in the middle of trial. The failure to include any reference to the first report or the non-psychotic narrative in any subsequent report significantly undercut the psychiatrist's credibility. Compounding the psychiatrist's credibility issue was the fact that he had falsified data while in medical school. The jury convicted Mr. Johnson, and he received a life sentence plus 50 years to serve in the Tennessee Department of Correction.

I drafted an amended petition for post-conviction relief asserting that Mr. Johnson received ineffective assistance of counsel in violation of the Sixth Amendment to the United States Constitution and article I, section 9 of Tennessee Constitution. I raised several issues in the petition, but the central issue was that trial counsel was ineffective in the presentation of Mr. Johnson's insanity defense at trial which was his only defense. After a hearing on the grounds raised in the petition and post-hearing briefing was submitted, the post-conviction court denied Mr. Johnson relief. An appeal followed before the Tennessee Court of Criminal Appeals. I drafted the principal brief and a reply brief on behalf of Mr. Johnson wherein I argued that he received ineffective assistance of counsel. Additionally, I argued that the case should be remanded for a new order by the post-conviction court because each ground raised by Mr. Johnson was not specifically addressed by the post-conviction court's order. I argued this matter before a panel of the three judges and the Court of Criminal Appeals issued an opinion and agreed that the matter should be remanded back to the post-conviction court for a new order addressing each claim of ineffective assistance of counsel with specificity.

Micah Ross Johnson v. State of Tennessee, No. E2021-0024-CCA-R3-PC (Tenn. Crim. App. Jan. 28, 2022), no perm. app. filed.

- After this matter was remanded the post-conviction court, a second order was issued denying each of Mr. Johnson's claims of ineffective assistance of counsel. A second appeal was initiated in the Tennessee Court of Criminal Appeals. Again, I was responsible for reviewing the technical record, transcripts, and exhibits to ensure that the record was complete to facilitate appellate review. Next, I drafted Mr. Johnson's brief arguing that he received ineffective assistance of counsel. Once briefing was complete, I prepared the case for oral argument. The central issue in this appeal was that trial counsel was ineffective in the presentation of Mr. Johnson's insanity defense. I argued this case for a second time before a panel of three judges on the Tennessee Court of Criminal Appeals. The Appellate Court issued an opinion and agreed that Mr. Johnson had received ineffective assistance of counsel based on trial counsel's presentation of Mr. Johnson's insanity defense. As a result, Mr. Johnson's convictions were overturned, and the case was remanded back to the trial court for a new trial.

Carlos D'Juan Campbell, Jr. v. State of Tennessee, E2018-01877-CCA-R3-PC (Tenn. Crim. App. Nov. 8, 2019), perm. app. denied (Tenn. April 16, 2020).

- Mr. Campbell was charged with multiple counts of attempted first degree murder during two drive-by shootings on separate dates. *See* Knox County Criminal Court, Docket 100509. After trial, the defendant was sentenced to 56 years to serve in the Tennessee Department of Correction. *See State v. Carlos Campbell*, No. E2014-00697-CCA-R3-CD, 2015 WL 6155893 (Tenn. Crim. App. Oct. 20, 2015), perm. app. denied (Tenn. April 6, 2016). I became involved in Mr. Campbell's case following the conclusion of his direct appeal. I was responsible for reviewing the record from Mr. Campbell's trial and preparing a petition for post-conviction relief. Although several claims of ineffective assistance of counsel were raised, the central issue in this matter was that trial counsel

elicited testimony from the defendant during a pre-trial suppression hearing that he was one of the shooters during one of the shootings. The prosecutor used the investigator to testify at trial regarding the defendant's admission during the pre-trial hearing. Trial counsel did not object to the prosecutor's line of questioning even though well-established caselaw from the United States Supreme Court subjected the testimony to exclusion from trial. Although the post-conviction court found that trial counsel was deficient, the post-conviction court concluded that the petitioner did not suffer prejudice and denied relief. Following the post-conviction court's denial of relief, I pursued an appeal on behalf of Mr. Campbell. I prepared and filed a brief and reply brief and represented the petitioner at oral argument. The Tennessee Court of Criminal Appeals issued an opinion finding that trial counsel was deficient but determined that that petitioner had not suffered prejudice and denied relief. I continued to represent the petitioner and filed a § 2255 motion for habeas corpus relief in the United States District Court for the Eastern District of Tennessee. After the District Court denied relief, I pursued an appeal to the Sixth Circuit Court of Appeals. Ultimately, the Sixth Circuit also denied relief. *See Campbell v. Genovese*, No. 21-5294 (6th Cir. Oct. 4, 2021); *Campbell v. Genovese*, Docket No. 3:20-CV-00394-JRG-DCP (E.D. Tenn. Feb. 23, 2021).

State of Tennessee v. I.S., Knox County Criminal Court, Docket No. 114370

- I served as co-counsel for the defendant. The defendant was charged with multiple felonies and misdemeanors including felony murder and first degree murder. The defendant testified in his own defense. The proof at trial revealed that the defendant and his friend intended to purchase marijuana and contacted an individual who agreed to come and meet them for the transaction in West Knox County. The defendant and his friend entered the back seat of the vehicle examined the marijuana and ultimately decided not to purchase any. They exited the vehicle and began to walk home. The vehicle began to drive away but quickly returned and the driver called the defendant and his friend back the vehicle. They walked back to the vehicle and once there, the driver brandished a handgun and demanded gas money. The defendant felt threatened, so he disarmed the driver and ran away with his friend. The driver gave chase and made verbal threats as he reached into a fanny pack. The defendant discharged the firearm in self-defense. The driver died and the defendant was charged with first degree murder and felony murder stemming from the death of the driver and other charges including evading arrest. The jury acquitted the defendant of all charges except one misdemeanor for evading arrest.

State of Tennessee v. N.C., Knox County Criminal Court, Docket No. 103548

- I served as co-counsel for the defendant. The defendant was charged with multiple counts of first degree murder for the death of victim who was eight months pregnant with the defendant's child. The victim was found nude on the floor of her bedroom with a negligée partially covering her body. The apartment had been ransacked, and her television was tipped over. The defendant's fingerprints were located on the side of the television by law enforcement. DNA testing of the negligée revealed the presence of male DNA. Both the defendant and the victim's ex-husband were excluded as contributors. The defendant was interviewed by law enforcement and denied involvement in the

homicide. The defendant also had a partial alibi for the evening when the victim was murdered. Nevertheless, the defendant was charged with her murder and their unborn child. The State's theory rested significantly on cell site analysis. Both the State and the defense had experts testify at trial as to interpretation and meaning of the data. The State argued that cell site data put the defendant in the vicinity of the victim's apartment at the time of the murder. The defense expert countered that testimony and asserted that method used to narrow the range of the cell towers was not conclusive and the State's expert's interpretation of the data was flawed. Ultimately, the case resulted in a mistrial because of a hung jury where 11 members voted to acquit the defendant. This case proceeded to trial a second time, but I was not a participant and resulted in a mistrial based on a hung jury for a second time. After two hung juries, the State elected not to pursue a third trial, and the matter was dismissed.

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

During the summer after my first year of law school in 2011, I clerked at the Office for the District Attorney General for the Sixth Judicial District. I was assigned to the DUI Unit where my primary responsibility was to review videos of encounters between law enforcement and defendants which resulted in arrests for DUI and other associated crimes. For each video, I drafted an evaluation form complete with notes and time stamps for portions of the videos which were of relevance and significance to the pending charges. After my second year of law school in 2012, I was invited back to the District Attorney General's Office for the Sixth Judicial District, where I served as an Acting Assistant District Attorney. In this capacity, I was sworn in and had the ability to practice law under the supervision of an Assistant District Attorney. For this summer, I was assigned to the Felony Sessions Unit which handled felony cases in Knox County General Sessions Court where I conducted victim/witness interviews and represented the State in preliminary hearings. During the fall semester of my third year of law school in 2012, I served as an extern for the Office for the District Attorney General for the 30th Judicial District in Shelby County. In this capacity I was assigned to the Felony Preliminary Hearing Team. I was sworn in and had the ability to practice under the supervision of an Assistant District Attorney. During this semester, I represented the State in preliminary hearings on felony matters including aggravated assault and attempted murder.

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

Not applicable.

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.

The University of Memphis, Cecil C. Humphreys School of Law, Memphis TN, 2010-2013

- Juris Doctor degree earned in 2013
- Member, *The University of Memphis Law Review*
- CALI Excellence for the Future Award, Business Organizations I
- Dean's Award for Excellence, Best Brief, Legal Methods II
- Dean's Award for Excellence, Best Oral Advocate, Legal Methods II
- Member, Phi Alpha Delta International Law Fraternity

The University of the South, Sewanee, TN, 2006-2010

- Bachelor of Arts degree earned in 2010, History major with a concentration in American History
- Member, Phi Alpha Theta History Honor Society
- Member, Dean's List
- Member, Southern Collegiate Athletic Conference Academic Honor Roll
- Member, Swimming and Diving Team
- Residential Life, Assistant Proctor for Tuckaway Hall

IES Abroad, Barcelona, Spain, Fall 2008

- No degree was earned as this was a study abroad program for one semester and all credits earned were transferred to The University of South.

Pellissippi State Community College (PSCC), Knoxville, TN, 2005-2006

- No degree was earned. I attended PSCC during my senior year of high school at West High School in Knoxville as part of a program to allow high school seniors to earn college credit. As part of this program, I took two courses of college level English. Upon graduation from West in 2006, I enrolled at The University of the South.

PERSONAL INFORMATION

12. State your date of birth.

██████████

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

I have lived in Tennessee my entire life except for a semester in Barcelona, Spain in Fall 2008 at IES Abroad.

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

I was born and raised in Knoxville, and I have lived in Knox County my entire life except for while I attended The University of the South in Sewanee from 2006-2010 which included a semester abroad in Barcelona, Spain in Fall 2008. I returned to Knox County each summer. I lived in Memphis from 2010-2013 while attending law school during the school year and returned to Knox County each summer. I also lived in Memphis for approximately five months in 2014.

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

Knox County

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.

Not applicable.

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.

Not applicable.

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.

Not applicable.

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.

Not applicable.

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.

Not applicable.

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

Not applicable.

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.

I was named as a defendant in the matter of *Aaron Dean Lawson v. Roy Dean, et al.*, Docket No. 1:19-cv-00085 in the United States District Court for the Middle District of Tennessee. The Plaintiff alleged a claim under U.S.C. § 1983 in a pro se complaint filed on October 28, 2019. While employed at The Isaacs Law Firm, I represented Mr. Lawson in a post-conviction proceeding in Bradley County stemming from his convictions for two counts of first degree murder and one count of possession of a firearm by a convicted felon. *See State v. Aaron Dean Lawson*, No. E2014-01788-CCA-R3-CD, 2015 WL 6083243 (Tenn. Crim. App. Oct. 16, 2015), perm. app. denied (Tenn. March 23, 2016). Ultimately, The Isaacs Law Firm withdrew as counsel before the matter proceeded to a hearing on Mr. Lawson's Petition for Post-Conviction Relief. In addition to myself, Mr. Lawson named several other attorneys that represented him at various stages of the court proceedings, judges, members of law enforcement, the medical examiner, employees of South Central Correctional Facility, and Vanderbilt Hospital as defendants in the civil action. The United States District Court issued an order on May 19, 2020 dismissing the complaint as frivolous.

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.

Member, Sequoyah Hills Presbyterian Church

- Member, International Mission Committee, 2024 – Present
- Member, Silent Angels Committee, 2018 – Present

Board Member, Old Gray Cemetery, 2021 – Present

Member, East Tennessee Historical Society

Member, Pilot Family YMCA

Member, West Knox Republican Club

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.

- a. If so, list such organizations and describe the basis of the membership limitation.
- b. 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.

I was a member of the Chi Psi Fraternity from 2007 through 2010 while attending The University of the South. Membership was limited to men. I am no longer an active member of the organization.

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.

Member, Knoxville Bar Association, 2013 – Present

Member, Tennessee Bar Association, 2017 – Present

Member, Hamilton Burnett American Inn of Court, 2016 – Present

Member, Tennessee Association of Criminal Defense Lawyers (TACDL), 2014 – 2022

- During my time in private practice, I regularly attended the monthly TACDL roundtable and gave a presentation to the roundtable in 2021 on the topic of post-conviction relief.

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.

Cystic Fibrosis Foundation Rising Stars Class of 2019

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.

Not applicable.

ESSAYS/PERSONAL STATEMENTS

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

My professional background as a defense attorney and as a prosecutor has supplied me with the experience and perspective to serve in this capacity. The experience of handling a heavy and diversified caseload over the course of my career has prepared me to oversee a docket of several hundred active cases at varying stages of litigation, many of which I have participated in during my legal career as a defense attorney and prosecutor.

This is the community that my wife and I have chosen to live in and raise our two daughters. I left my career in private practice to enter public service as an Assistant District Attorney and will serve this community as Criminal Court Judge with the same level of energy, fairness, and commitment that I have dedicated to citizens of Knox County as an Assistant District Attorney.

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 Judge for Knox County Criminal Court, Division I. Knox County has three criminal court divisions and hears cases exclusively in Knox County. The Court handles a variety of types of cases including misdemeanor and felony matters from arraignment to trial. Additionally, the Court handles motion hearings in cases in various stages of litigation, such as sentencing hearings, and hearings on petitions for post-conviction relief. Overall, the Court oversees a docket of several hundred cases. Based on my background as a criminal defense

attorney and as a prosecutor, I have the experience and perspective to effectively, efficiently, and fairly preside over cases if selected to serve in this capacity.

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)*

It is imperative that a judge apply the law as written without regard for any personal feelings concerning the law. In Tennessee, observation without consent under Tenn. Code Ann. § 39-13-607, is a misdemeanor so long as the victim is over 13 years old. Accordingly, a defendant who observes adults and minors between 13 and 18 years old without their consent faces a maximum punishment of 11 months and 29 days for a class A misdemeanor. I have been asked by victims of this crime why the punishment for this offense is limited to 11 months and 29 days and makes no distinction when the crime occurs in place such as the victim's home where they would have a greater expectation of privacy. Nevertheless, I am bound to apply the law as written.

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. Senator Becky Duncan Massey

Office Address: 425 Rep. John Lewis Way N., Suite 776, Nashville, TN 37243

Office Phone: 615-741-1648

Email: sen.becky.massey@capital.tn.gov

B. Glenn Jacobs, Knox County Mayor

Office Address: 400 Main Street, Suite 615, Knoxville, TN 37902

Office Phone: 865-215-2005

Email: county.mayor@knoxcounty.org

C. Charme P. Allen, District Attorney General for the Sixth Judicial District

Office Address: 400 Main Street, Suite 168, Knoxville, TN 37902

Office Phone: 865-215-2515

Email: charme.allen@knoxcounty.org

D. J. Ford Little, Partner, Woolf, McClane, Bright, Allen & Carpenter PLLC

Office: 900 S. Gay Street, Suite 900, Knoxville, TN 37902

Office Phone: 865-215-1000
Email: flittle@wmbac.com

E. R. Culver Schmid, Managing Shareholder, Baker, Donelson, Bearman, Caldwell & Berkowitz
Office: 265 Brookview Centre Way, Suite 600, Knoxville, TN 37919-4066
Office Phone: 865-971-5103
Email: cschmid@bakerdonelson.com

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 [Court] Knox Co. Criminal Court, Div. 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 10, 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.

Franklin Ammons

Type or Print Name

[Signature]

Signature

05/10/2025

Date

031947

BPR #

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