

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE  
AT NASHVILLE  
Assigned on Briefs June 16, 2026

FILED

06/26/2026

Clerk of the  
Appellate Courts

**STATE OF TENNESSEE v. MARC ANTHONY CROWDER**

**Appeal from the Circuit Court for Montgomery County  
No. 63CC1-2020-CR-648 Robert Bateman, Judge**

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**No. M2025-01794-CCA-R3-CD**

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A Montgomery County jury convicted the defendant, Marc Anthony Crowder, of first-degree felony murder and attempted aggravated robbery, for which he received a sentence of life imprisonment plus fifteen years. On appeal, the defendant contends the evidence presented at trial was insufficient to support his convictions. The defendant also contends the trial court erred in imposing consecutive sentencing. After reviewing the record and considering the applicable law, we affirm the judgments of the trial court.

**Tenn. R. App. P. 3 Appeal as of Right; Judgments of the Circuit Court Affirmed**

J. ROSS DYER, J., delivered the opinion of the court, in which ROBERT L. HOLLOWAY, JR., and MATTHEW J. WILSON, JJ., joined.

Gregory D. Smith (on appeal) and John D. Carver (at trial), Clarksville, Tennessee, for the appellant, Marc Anthony Crowder.

Jonathan Skrmetti, Attorney General and Reporter; Benjamin A. Ball, Senior Assistant Attorney General, and Michael J. Hurst; <sup>1</sup> Robert J. Nash, District Attorney General; and Crystal Morgan and Marianna Bell, Assistant District Attorneys General, for the appellee, State of Tennessee.

**OPINION**

***Facts and Procedural History***

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<sup>1</sup> Mr. Hurst participated in this case as a qualified law student pursuant to authority granted by Tennessee Supreme Court Rule 7, section 10.03.

On January 15, 2020, Andravious Taylor planned to leave the apartment he shared with the victim, his brother—Desergio Taylor<sup>2</sup>, at approximately 6:00 p.m. to visit friends. However, as he was preparing to leave, the victim handed Mr. Taylor a 9-millimeter handgun and told him that someone was coming to the apartment. Approximately five to ten minutes later, two men arrived at the apartment complex in a gray vehicle. They walked up the stairs, and Mr. Taylor, who was outside on the porch, asked them if they had a cigarette. Mr. Taylor recognized one of the men as Codefendant Decory Smith, who had previously worked with Mr. Taylor.<sup>3</sup> The men stated that they did not have a cigarette, and Mr. Taylor followed them inside the apartment.

Inside, the victim, who was playing a video game, extended his right hand toward Codefendant Smith, who stated, “You know what this is,” pulled a pistol from his sweatshirt, and started shooting. The defendant was also armed and appeared to be carrying a revolver. After Codefendant Smith began shooting at the victim, Mr. Taylor returned fire, shooting twice at Codefendant Smith and the defendant. Mr. Taylor then immediately ran across the street to get help. As he was running away, Mr. Taylor saw Codefendant Smith and the defendant leave the apartment. Codefendant Smith was holding the defendant, and Mr. Taylor believed it was because the defendant had been shot.

Alexander Torres, who lived in an apartment near Mr. Taylor and the victim, saw Mr. Taylor running toward him with a gun in his hand. Mr. Taylor appeared “real scared” and was “shaking” and acted as if he were being chased. Mr. Taylor asked Mr. Torres if he could use his phone, and Mr. Torres allowed him into his apartment. They called 911 from Mr. Torres’s cell phone, and while they waited for police to arrive, Mr. Taylor asked if he could leave his gun at Mr. Torres’s apartment. Mr. Taylor left the gun on top of Mr. Torres’s grill and ran back toward the apartment where the shooting occurred. Mr. Torres wrapped the gun in a towel and placed it inside his grill until police arrived to retrieve it.

Several officers testified about responding to the shooting and the resulting investigation. Officer Christian Canales, previously with the Clarksville Police Department (“CPD”), responded to the call shortly after 6:35 p.m. Upon arrival, he heard shouting from behind the building and ran in the direction of the victim’s apartment. Inside, Officer Canales observed the victim slumped over on the couch with multiple gunshot wounds. There was a lot of blood, and the victim appeared to be deceased. When

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<sup>2</sup> Andravious Taylor and Desergio Taylor share the same last name. Therefore, we will refer to Andravious Taylor as Mr. Taylor and Desergio Taylor as “the victim.”

<sup>3</sup> The defendant, along with his codefendant, Decory Smith, were tried jointly but have pursued separate appeals in this Court. *State v. Smith*, No. M2025-00056-CCA-R3-CD, 2025 WL 2828450 (Tenn. Crim. App. Oct. 6, 2025), *perm. app. denied* (Tenn. Jan. 15, 2026).

Officer Canales touched the victim's arm, a black Taurus pistol fell out of the victim's hand, which had been resting in his lap.

Officer Canales called for EMS and attempted to secure the victim's apartment; however, before he could do so, Mr. Taylor arrived and darted frantically inside. Officer Canales stopped Mr. Taylor, who repeatedly stated, "They shot him." He then pointed toward Mr. Torres's apartment and said that the gun was "over there." Officer Canales was unsure what gun Mr. Taylor was referring to and removed him from the apartment. Officer Canales then searched the area where Mr. Taylor indicated and encountered Mr. Torres, who told him there was a gun inside his grill. Mr. Torres explained that Mr. Taylor had come to his apartment earlier and asked to call 911.

Officer Corey Coleman with the CPD also responded to the shooting and observed Mr. Taylor pacing near the stairs of the victim's apartment. Upon entering the apartment, Officer Coleman found the victim being treated by EMS personnel who provided Officer Coleman with the gun that had been on the victim's lap. When Officer Coleman attempted to clear the gun, he noticed a casing was caught in the ejector port, which had caused the gun to jam.

Officer Kellie Belgarde with CPD Crime Scene Unit identified multiple pieces of evidence and photographs of evidence, including the gun found in Mr. Torres's grill. Officer Belgarde also identified evidence taken from the crime scene, including photographs of what appeared to be blood stains, swabs of blood stains, shell casings, bullets, multiple other guns, and multiple cell phones. She also testified regarding photographs of the Jeep Liberty registered to the defendant and believed to have been driven by the defendant and Codefendant Smith and photographs of evidence found inside the Jeep, which included a cell phone, a hooded sweatshirt, and a swab of what appeared to be blood on one of the seats.

Detective Allen Pendarvis with the CPD Crime Scene Unit responded to the scene and observed a 9-millimeter bullet as well as a magazine containing additional bullets located in the parking lot in front of the victim's apartment building.

Nathan Lee, previously a detective with the CPD, spoke with Mr. Taylor and Ricki Adkins, the defendant's girlfriend, on the night of the shooting. He showed Mr. Taylor a photographic lineup from which Mr. Taylor was able to identify Codefendant Smith as one of the shooters. Detective Lee also retrieved a cell phone from Ms. Adkins and DNA samples from the defendant and Codefendant Smith.

Ms. Adkins testified that she and the defendant were in a romantic relationship at the time of the shooting and that he lived with her. When he moved in with her and her

children, he brought a gun with him, which upset her, but the defendant promised to keep the weapon “put up.” On the day of the shooting, Ms. Adkins and the defendant purchased a silver Jeep Liberty. They returned home, and the defendant left in the Jeep to pick up a friend.

Approximately an hour later, the defendant returned and honked the horn in the driveway. Ms. Adkins went outside and saw Codefendant Smith, whom Ms. Adkins did not know, standing by the vehicle. Codefendant Smith told Ms. Adkins that the defendant had been shot and that she needed to take him to the hospital. When she got into the vehicle, the defendant tried to hand her two guns, but she said, “No.” One gun was a black semi-automatic and the other was a silver and brown revolver. The defendant then gave the guns to Codefendant Smith, who placed the weapons in Ms. Adkins’ deep freezer.

The defendant told Ms. Adkins to tell the people at the hospital that he and Codefendant Smith were in the “projects” and were the victims of a drive-by shooting. When she asked him what happened, he stated that “[h]e tried to hit a licc . . . [and] [t]hat it went wrong.” Ms. Adkins understood a “licc” to mean to rob someone. The defendant told Ms. Adkins to “get rid of the [guns] or else” and told her to take the weapons to “Cane” or “Trigger.”

Upon arriving at the hospital, Ms. Adkins informed hospital staff that there were two men in her vehicle and they had both been shot. When she went to park, law enforcement officers approached her. She took her phone and one of the defendant’s phones from the Jeep, leaving the defendant’s second phone, which he used to play music. Officers then transported her to the police station for questioning. When officers took the phone she had with her, which was the defendant’s phone, she claimed it was hers. She also did not tell them about the guns hidden at her house. She testified that she was afraid of the defendant.

The defendant’s friend, Michelle<sup>4</sup>, brought Ms. Adkins home, where she retrieved the guns as well as a bag of drugs that the defendant kept in the closet. They drove to the location where the defendant had instructed to them to go, but neither “Cane” nor “Trigger” was home. The next day, Ms. Adkins gave the drugs to “Cane” or “Trigger” and the guns to a man named “Will.”

The defendant called Ms. Adkins from jail, and she told him that the police had his phone. When he told her to get rid of the guns, she informed him that she already had. Shortly thereafter, Ms. Adkins moved to Kentucky with her children. While there, she was charged with tampering with evidence and being an accessory after the fact for disposing

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<sup>4</sup> Michelle’s last name does not appear in the record.

of the weapons. When law enforcement officers came to speak with her, she told them that “Will” had the guns. However, she did not disclose her involvement in providing him with the weapons until a later interview.

Dr. Feng Li, an expert in forensic pathology and the chief medical examiner for Metropolitan Nashville and Davidson County, performed the autopsy on the victim. Dr. Li testified that the victim’s cause of death was multiple gunshot wounds. Dr. Li’s examination of the gunshot wound to the victim’s forehead revealed that the shooter was approximately two to two and a half feet from the victim. The right abdomen wound was a “distant, penetrating gunshot wound.” Both wounds caused multiple injuries. The victim also had a superficial gunshot wound to his right thigh, a perforating gunshot wound to his left thigh, a gunshot wound to his left hip, and a superficial gunshot wound to his left lower leg. Dr. Li opined that several of the victim’s gunshot wounds were fatal, but the head wound and the wound to the right abdomen were the most serious. Dr. Li recovered bullets from the victim’s brain and back as well as bullet fragments from his leg.

Special Agent Alex Brodhag, an expert in firearms and tool mark examination with the Tennessee Bureau of Investigation (“TBI”), examined a Sig Sauer P250 9-millimeter pistol (found in the victim’s lap); a Taurus 24/7 9-millimeter pistol (found in Mr. Torres’s grill); and a Jimenez .380-auto caliber pistol (found in a back bedroom of the victim’s apartment). All three of the guns worked normally when test-fired, but Agent Brodhag acknowledged that it was possible for a casing to become stuck, causing the gun to jam. Agent Brodhag testified that the Taurus pistol did not have a magazine but that the magazine found at the scene would fit the Taurus.

Agent Brodhag also examined the shell casings and bullets found at the scene and testified that all of the shell casings were fired from one of the three weapons that he test-fired. Two of the bullets that were found at the scene and the two bullets found inside the victim’s body were fired from the same weapon. However, they were not fired from any of the three weapons submitted to Agent Brodhag.

Special Agent Gregory Fort, an expert in forensic biology with the TBI, analyzed swabs, weapons, and clothing collected in this case against the DNA samples collected from the victim, the defendant, and Codefendant Smith. The samples indicated that the defendant’s blood was found in multiple locations around the victim’s apartment, including on the deck, landing, and stairs. Agent Fort also found the defendant’s blood on the clothing he wore to the hospital.

Detective Debra Kolofsky, an expert in “mobile forensics” with the CPD, analyzed several devices associated with this case. Detective Kolofsky performed a physical extraction of both the victim’s and the defendant’s cell phones and recovered several text

messages from the day of the shooting. The victim sent text messages to someone named “Cory” referencing the purchase of marijuana. Meanwhile, the defendant sent several text messages discussing the purchase of his Jeep. The defendant and a contact named “C. Real” discussed their plan to meet at 6:00 p.m. on the evening of the shooting.

On cross-examination, Mr. Taylor agreed that Codefendant Smith and the defendant were supposed to come to the apartment that night to purchase marijuana. He also agreed that he “probably” smoked marijuana on the day of the shooting because he “smoked every day” but said that he and the victim were not smoking “at the time” of the shooting.

The defendant declined to present evidence. Following deliberations, the jury convicted the defendant of first-degree felony murder and attempted aggravated robbery, and the trial court imposed a sentence of life plus fifteen years. The defendant filed a motion for new trial, which the trial court denied. This timely appeal followed.

### *Analysis*

On appeal, the defendant argues the evidence presented at trial was insufficient to support his convictions. The defendant also contends the trial court erred in imposing consecutive sentencing. The State contends that the evidence is sufficient and that the trial court properly sentenced the defendant.

#### **I. Sufficiency**

The defendant contends the evidence is insufficient to sustain his convictions. Specifically, he contends that only Ms. Adkins’ testimony directly connects him to the offenses and that it was not adequately corroborated. The State contends the evidence is sufficient. We agree with the State.

When the sufficiency of the evidence is challenged, the relevant question of the reviewing court is “whether, after viewing the evidence in the light most favorable to the prosecution, *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *Jackson v. Virginia*, 443 U.S. 307, 319 (1979); *see also* Tenn. R. App. P. 13(e) (“Findings of guilt in criminal actions whether by the trial court or jury shall be set aside if the evidence is insufficient to support the findings by the trier of fact of guilt beyond a reasonable doubt.”); *State v. Evans*, 838 S.W.2d 185, 190-92 (Tenn. 1992); *State v. Anderson*, 835 S.W.2d 600, 604 (Tenn. Crim. App. 1992). All questions involving the credibility of witnesses, the weight and value to be given the evidence, and all factual issues are resolved by the trier of fact. *State v. Pappas*, 754 S.W.2d 620, 623 (Tenn. Crim. App. 1987). “A guilty verdict by the jury, approved by the trial judge, accredits the testimony of the witnesses for the State and resolves all conflicts in favor of

the theory of the State.” *State v. Grace*, 493 S.W.2d 474, 476 (Tenn. 1973). Our Supreme Court has stated the following rationale for this rule:

This well-settled rule rests on a sound foundation. The trial judge and the jury see the witnesses face to face, hear their testimony and observe their demeanor on the stand. Thus, the trial judge and jury are the primary instrumentality of justice to determine the weight and credibility to be given to the testimony of witnesses. In the trial forum alone is there human atmosphere, and the totality of the evidence cannot be reproduced with a written record in this Court.

*Bolin v. State*, 405 S.W.2d 768, 771 (Tenn. 1966) (citing *Carroll v. State*, 370 S.W.2d 523 (Tenn. 1963)). “A jury conviction removes the presumption of innocence with which a defendant is initially cloaked and replaces it with one of guilt, so that on appeal a convicted defendant has the burden of demonstrating that the evidence is insufficient.” *State v. Tuggle*, 639 S.W.2d 913, 914 (Tenn. 1982).

The jury convicted the defendant of the first-degree felony murder and attempted aggravated robbery of the victim. As relevant to this appeal, first-degree felony murder is “[a] killing of another committed in the perpetration of or attempt to perpetrate any . . . robbery.” Tenn. Code Ann. § 39-13-202(a)(2). Aggravated robbery is a robbery “[a]ccomplished with a deadly weapon or by display of any article used or fashioned to lead the victim to reasonably believe it to be a deadly weapon[.]” *Id.* § 39-13-402(a)(1). Robbery “is the intentional or knowing theft of property from the person of another by violence or putting the person in fear.” *Id.* § 39-13-401. “A person commits theft of property if, with intent to deprive the owner of property, the person knowingly obtains or exercises control over the property without the owner’s effective consent.” *Id.* § 39-14-103(a).

Criminal attempt occurs when a person “acting with the kind of culpability otherwise required for the offense . . . [a]cts with intent to complete a course of action or cause a result that would constitute the offense, under the circumstances surrounding the conduct as the person believes them to be, and the conduct constitutes a substantial step toward the commission of the offense.” *Id.* § 39-12-101(a)(3). To qualify as a “substantial step,” the person’s “entire course of action” must be “corroborative of the intent to commit the offense.” *Id.* § 39-12-101(b).

In the light most favorable to the State, the evidence shows that the defendant and Codefendant Smith went to the victim’s apartment on the night of the shooting to purchase marijuana. The victim was concerned about the meeting and asked Mr. Taylor to stay with him for protection. Upon arriving at the victim’s apartment, both the defendant and

Codefendant Smith pulled out firearms, and Codefendant Smith stated, “You know what this is” before shooting the victim. Mr. Taylor returned fire, and the defendant and Codefendant Smith fled in the defendant’s vehicle. Ms. Adkins later drove the defendant and Codefendant Smith, who both sustained gunshot wounds, to the hospital. The defendant told Ms. Adkins that they had “tried to hit a licc,” which Ms. Adkins testified meant that he was attempting to rob someone. Ms. Adkins testified that she later disposed of two guns that Codefendant Smith placed in her freezer because the defendant told her to “get rid of the [guns] or else.” The defendant’s DNA sample also matched DNA evidence found in multiple locations around the victim’s apartment. This evidence is sufficient to support the defendant’s convictions.

The defendant points to various inconsistencies in the testimony of Ms. Adkins and questions her credibility to challenge the sufficiency of the proof against him. However, the jury assessed the credibility of Ms. Adkins and any inconsistencies in her testimony, and it is not for this Court to second-guess the credibility and factual determinations made by the trier of fact. Moreover, despite the defendant’s contention that Ms. Adkins’ testimony was not properly corroborated, Ms. Adkins was charged as an accessory after the fact. Therefore, she was not “considered as an accomplice within the rule requiring that the testimony of an accomplice be corroborated.” *State v. Locke*, No. E2022-01676-CCA-R3-CD, 2024 WL 1880813, at \*11 (Tenn. Crim. App. Apr. 30, 2024), *no perm. app. filed*. The defendant is not entitled to relief on this issue.

## II. Consecutive Sentencing

The defendant argues the trial court erred in imposing consecutive terms. Specifically, the defendant argues the trial court made only a “cursory reference to the *Wilkerson* factors.”<sup>5</sup> The State contends the trial court properly imposed consecutive terms. Respectfully, we again agree with the State.

When determining the appropriate sentence, the trial court must consider these factors:

- (1) the evidence, if any, received at the trial and the sentencing hearing;
- (2) the presentence report;
- (3) the principles of sentencing and arguments as to sentencing alternatives;
- (4) the nature and characteristics of the criminal conduct involved;
- (5) the evidence and information offered by the parties on the mitigating and enhancement factors set out in Tennessee Code Annotated sections 40-35-113 and -114;

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<sup>5</sup> *State v. Wilkerson*, 905 S.W.2d 933, 936 (Tenn. 1995).

- (6) any statistical information provided by the Administrative Office of the Courts as to sentencing practices for similar offenses in Tennessee;
- (7) any statement the defendant made on his own behalf about sentencing;
- and
- (8) The result of the validated risk and needs assessment conducted by the department and contained in the presentence report.

*See* Tenn. Code Ann. § 40-35-210; *State v. Taylor*, 63 S.W.3d 400, 411 (Tenn. Crim. App. 2001). The trial court must also consider the potential or lack of potential for rehabilitation or treatment of the defendant when determining the sentence alternative or length of a term to be imposed. Tenn. Code Ann. § 40-35-103.

When the record establishes the sentence imposed by the trial court was within the appropriate range and reflects a “proper application of the purposes and principles of our Sentencing Act,” this Court reviews the trial court’s sentencing decision under an abuse of discretion standard with a presumption of reasonableness. *State v. Bise*, 380 S.W.3d 682, 707 (Tenn. 2012). The trial court must state on the record the factors it considered and the reasons for the sentence imposed. Tenn. Code Ann. § 40-35-210(e); *Bise*, 380 S.W.3d at 706. The party challenging the sentence on appeal bears the burden of establishing that the sentence was improper. Tenn. Code Ann. § 40-35-401, Sentencing Comm’n Cmt.

In *State v. Pollard*, 432 S.W.3d 851 (Tenn. 2013), the Tennessee Supreme Court expanded its holding in *Bise* to also apply to decisions by trial courts regarding consecutive sentencing. *Id.* at 859. This Court must give “deference to the trial court’s exercise of its discretionary authority to impose consecutive sentences if it has provided reasons on the record establishing at least one of the seven grounds listed in Tennessee Code Annotated section 40-35-115(b).” *Id.* at 861. “Any one of [the] grounds [listed in section 40-35-115(b)] is a sufficient basis for the imposition of consecutive sentences.” *Id.* at 862 (citing *State v. Dickson*, 413 S.W.3d 735 (Tenn. 2013)).

A trial court “may order sentences to run consecutively” if it finds the defendant is “a dangerous offender whose behavior indicates little or no regard for human life, and no hesitation about committing a crime in which the risk to human life is high[.]” Tenn. Code Ann. § 40-35-115(b)(4); *see State v. Wilkerson*, 905 S.W.2d 933, 936 (Tenn. 1995). Before a trial court may impose consecutive sentences on the basis that a defendant is a dangerous offender, the trial court must find “that an extended sentence is necessary to protect the public against further criminal conduct by the defendant and that the consecutive sentences . . . reasonably relate to the severity of the offenses committed.” *Wilkerson*, 905 S.W.2d at 939. Our supreme court has stated that the trial court must make specific findings about “particular facts” that show the *Wilkerson* factors apply to the defendant. *State v. Lane*, 3 S.W.3d 456, 461 (Tenn. 1999).

In imposing consecutive sentences on the basis that the defendant is a dangerous offender, the trial court articulated its reasons as follows:

The [c]ourt does find that the defendant is a dangerous offender whose behavior indicates little or no regard for human life and no hesitation about committing a crime in which risk of human life is high.

The [c]ourt bases this upon the circumstances surrounding the commission of this offense as being aggravated and in confinement for an extended period of time as necessary to protect society and the defendant's unwillingness to live a productive life and the defendant's resort to criminal activity.

The [c]ourt finds that this sentence is – reasonably relates to the offense to which the defendant stands convicted. And so the defendant, Mr. Crowder, in Count 2, is sentenced to 15 years to serve. And that will be consecutive to Count 1.

At the defendant's hearing on his motion for new trial, the trial court made additional findings, as follows:

The [c]ourt does find that the circumstances surrounding the commission of this offense are aggravated. As the [c]ourt recalls from the testimony, this robbery occurred in an apartment complex, or at least an apartment building, and weapons were discharged that not only killed the victim in this case, but were in an area, a densely-populated area, where members of the public, in addition to the victim, were at risk. The [c]ourt finds that, that shows an aggravation of the circumstances that would justify the imposition of the consecutive sentencing under the *Wilkerson* factors. The [c]ourt also looks at whether confinement for an extended period of time is necessary to protect society from these defendants' unwillingness to lead a productive life and the defendant's resort to criminal activity.

At the sentencing hearing there were – there was proof that both defendants had numerous prior felony convictions that justified [the defendant] being sentenced as a persist[ent] offender . . . . So, the *Wilkerson* factor regarding the defendants' unwillingness to lead a productive life and resort to criminal activity is shown by the proof in this matter. Finally, the [c]ourt finds that the aggregate length of the sentence reasonably relates to this offense. Again, this offense occurred in a densely-populated portion of

Montgomery County and put not only the victim, but members of the public, at risk and the [c]ourt finds that this sentence does reasonably relate to the offense to which the defendants stand convicted.

In determining whether to require the defendant to serve his sentences consecutively, the trial court found the defendant had no hesitation about committing a crime in which the risk to human life was high. *See* Tenn. Code Ann. § 40-35-115(b)(4). As a result, the trial court determined the defendant was a dangerous offender.

The trial court then considered the *Wilkerson* factors. First, the trial court determined an extended sentence was necessary to protect the public from further criminal conduct by the defendant. *Wilkerson*, 905 S.W.2d at 939. In supporting this decision, the trial court considered the defendant's numerous prior felony convictions and "unwillingness to lead a productive life and resort to criminal activity." Next, in supporting its conclusion that the defendant's sentences reasonably related to the severity of his offenses, the trial court noted that the offenses occurred in a densely populated apartment building, which placed not only the victim but also other members of the public at risk. The evidence does not preponderate against the trial court's findings. Therefore, the trial court did not abuse its discretion in imposing consecutive sentences, and the defendant is not entitled to relief on this issue.

### *Conclusion*

Based on the foregoing authorities and reasoning, the judgments of the trial court are affirmed.

S/ *J. ROSS DYER*  
J. ROSS DYER, JUDGE