

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT NASHVILLE

Assigned on Briefs January 14, 2026

FILED

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Clerk of the
Appellate Courts

STATE OF TENNESSEE v. DEMONTREY MONQUISZE LOGSDON

**Appeal from the Criminal Court for Davidson County
No. 2018-C-2127 Khadija Lanice Babb, Judge**

No. M2024-01471-CCA-R3-CD

Defendant, Demontrey Monquisze Logsdon, was indicted by the Davidson County Grand Jury, along with two co-defendants, for two counts of first degree premeditated murder and first degree felony murder, along with several other charges. Defendant was convicted by a jury on all counts as charged, and Defendant was sentenced to life without the possibility of parole. In this appeal as of right, Defendant asserts that he is entitled to plain error relief based on the admission of testimony by a detective who did not conduct the cell phone data extraction about which he testified. Defendant asserts he was denied his right to confront the witness who conducted the extraction. Because Defendant did not establish plain error, we affirm the judgments of the trial court.

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

TIMOTHY L. EASTER, J., delivered the opinion of the court, in which ROBERT L. HOLLOWAY, JR., and JILL BARTEE AYERS, JJ., joined.

Daniel J. Murphy (on appeal), Lewisburg, Tennessee; and Paul Bruno (at trial), Nashville, Tennessee, for the appellant, Demontrey Monquisze Logsdon.

Jonathan Skrmetti, Attorney General and Reporter; William C. Lundy, Assistant Attorney General; Glenn R. Funk, District Attorney General; and Roger Moore and Megan King, Assistant District Attorneys General, for the appellee, State of Tennessee.

OPINION

Trial

In August of 2018, Defendant and co-defendant Horace Palmer Williamson, III, [“Williamson”] engaged in a crime spree, stealing three vehicles and several firearms. The spree culminated in the robbery of Andrea Cothern, Steven Harrington, Jamie Sarrantonio, and Brandon Teal outside of the Cobra, a bar in East Nashville, in the early morning hours of August 17, 2018. During the robbery, Defendant and Williamson shot and killed Ms. Sarrantonio and Mr. Teal.

On August 3, 2018, Lisa Alexander discovered that her Ford Explorer Sport Trac was missing from the driveway of her home in Nashville. On the night of August 6, 2018, Jonathan Lloyd left for work and returned home between 3:00 and 3:30 a.m. on August 7, 2018, when he discovered that his home had been broken into and four firearms had been stolen, including a Winchester .22 caliber bolt action, a New England .223 break action single shot, a Mosin Nagant bolt action, and a Savage .22 caliber semi-automatic. The Mosin Nagant was equipped with a stock containing hunting ammunition. On the morning of August 10, 2018, Jonathan Burgard discovered that his Chevy Cruze had been stolen from the street in front of his home in Clarksville.

On August 12, 2018, at around 2:30 a.m., Dyllan Brown hit a dog with his vehicle on Bellevue Road. While Mr. Brown was bent down to check on the dog, Williamson “snuck up on [him] and put a rifle into [his] groin.” Mr. Brown stood up, and Williamson pointed the gun at his head. Defendant and Williamson told him to get on his knees, and they went through his pockets. Williamson then told Mr. Brown to run, and Mr. Brown ran in a “zigzag” pattern through the parking lot because he thought the men “were going to use [him] as . . . target practice.” Mr. Brown hid behind a car and saw one of the men drive away in his vehicle, a Dodge Journey, and the other drive away in a Chevy Cruze.

On the night of August 16, 2018, Ms. Cothern and her friend Ms. Sarrantonio went to a show together and later ended up at the Cobra, where their friend Mr. Harrington was a cook. They arrived at the Cobra at around 2:00 a.m., and Mr. Harrington introduced them to his roommate Mr. Teal, whose birthday was that day. The group walked to a nearby Speedway to buy cigarettes and snacks around 3:00 a.m. They returned to the Cobra and were leaving to go swimming at another friend’s house when two men pulled up in a car behind Mr. Teal’s vehicle and stopped. Ms. Cothern saw two men jump out of the car with guns; one had a long gun, and the other had a handgun.

The men told the group to “drop everything.” The man with the long gun shot Mr. Teal in the back, and Mr. Teal fell to the ground. The man with a handgun pulled Ms. Cothern out of the car and demanded that she give him her belongings. She gave him her purse, containing her cell phone, wallet, a metal cigarette case, and other items. Ms. Cothern said, “he was grabbing all over me and up my dress.” He also took a bag containing personal items from Mr. Harrington. The men told the victims not to look at

them and went back to their car, a newer model blue Chevy. Ms. Cothorn began to stand up, and Mr. Harrington told her to get down because the men were coming back. Ms. Cothorn heard “some commotion” before the men got in their car and drove away. Mr. Harrington heard a second gunshot that was “much louder than the first one.”

Mr. Harrington still had his cell phone and called 911. He went over to Mr. Teal, who was unconscious and struggling to breathe. Ms. Cothorn ran inside the bar and asked the bartender to call 911. She returned to the car and saw Ms. Sarrantonio lying on the ground. She knelt beside her and held her hand until police arrived. Surveillance video of the Cobra parking lot was entered into evidence and shown to the jury.

Metro Nashville Police Department (“MNP”) Officer Eric Hall was at the Speedway convenience store in the early morning hours of August 17¹ and saw the group of four friends enter the store, buy something, and leave together. Shortly thereafter, he responded to the scene in the parking lot of the Cobra about 100 yards away from the Speedway. When he arrived, he immediately recognized the victims as the four people he had just seen at the Speedway. Mr. Teal and Ms. Sarrantonio were transported to separate hospitals and both died from their injuries.

Investigators collected a spent .22-caliber cartridge case and a round of live .22-caliber ammunition in a pool of blood in the Cobra parking lot. MNP Detective Jesse Holt spoke to Ms. Cothorn and Mr. Harrington at the scene. He was able to track Ms. Cothorn’s stolen iPhone to an address on 23rd Avenue North. MNP Officer Joshua Green responded to that area to search for Ms. Cothorn’s phone. He found a wallet containing Ms. Cothorn’s health insurance card and a metal cigarette case on the ground near a trash can in the alley. Inside the trash can, he found two black purses and a tan bag. He and another officer found Ms. Cothorn’s phone in the treeline behind the alley. All of the items were collected as evidence. Defendant’s fingerprints were found on Ms. Cothorn’s phone and cigarette case.

Based on information pertaining to fraudulent charges using Ms. Cothorn’s stolen debit card, investigators collected surveillance video footage from businesses in the area that showed Defendant’s and Williamson’s movements before and after the shooting. Security footage from a Z-Mart on Clarksville Highway showed the Sport Trac and the Dodge Journey getting gas using Ms. Cothorn’s stolen debit card, and both vehicles became vehicles of interest to law enforcement.

¹ In the transcript, the prosecutor asked Officer Hall about the “early morning hours of August 18th.” However, elsewhere in the record, the date of the offense is consistently stated as the early morning of August 17, 2018.

On the afternoon of August 17, 2018, an MNPD helicopter pilot located the Sport Trac and Dodge Journey leaving an apartment complex together. MNPD Officer Ryan Finnegan spotted the Sport Trac and followed it in his unmarked patrol car. Officer Finnegan saw the vehicle pull onto a curb, and a woman carrying two backpacks got out. Officer Finnegan activated his blue lights and attempted to stop the vehicle, but the driver sped away. A door on the passenger side of the vehicle was open, and Officer Finnegan saw a long rifle slide out of the vehicle onto the roadway. After losing sight of the Sport Trac, Officer Finnegan checked on the woman who exited the vehicle, Kaylee Mitchell. She claimed one of the backpacks was hers but said the other was not. Officer Finnegan found a debit card belonging to Defendant on the ground. He took the unclaimed backpack and the debit card into evidence. Another officer recovered the rifle that slid out of the Sport Trac. Officers found Defendant's ID and social security card inside the backpack.

MNPD Sergeant Andrew Grega also pursued the Sport Trac, which eventually stopped, and Williamson fled on foot. Sergeant Grega apprehended Williamson, who was transported to the police station. Ms. Mitchell was also taken to the police station. A warrant was later issued for Defendant's arrest, and the United States Marshals Service located Defendant and assisted in his arrest. Defendant had shaved his beard and cut his hair.

The Dodge Journey was found abandoned. Upon a search of the vehicle, officers recovered live rounds of ammunition, a cell phone, and a notice of subpoena issued to Defendant. Police found Defendant's fingerprints on the exterior front passenger door handle and on a Knockout Wings receipt and the subpoena found inside the vehicle. Defendant's DNA was found on the steering wheel of the vehicle and on some of the firearms collected. Additionally, Defendant's DNA was present on Mr. Teal's jeans pocket.

Defendant's and Williamson's cell phones were recovered and submitted for extraction. Detective Joseph Chadwick High, a call detail record analyst for the MNPD Surveillance and Investigative Support Unit ("SISU"), testified about Defendant's and Williamson's geographical locations, and another co-defendant's cell phones, at the times of the crimes. Based on the extractions of the cell phones, Detective High determined that Defendant's and Williamson's cell phones were in the general area of the location where the Sport Trac was stolen shortly after 3:30 a.m. on August 3, 2018. Between midnight and 1:00 a.m. on August 6, 2018, both phones were in the general area of Mr. Lloyd's residence, from where his firearms were stolen. On August 12, 2018, both phones were in the general area of the location where the Dodge Journey was stolen shortly before 3:00 a.m. Defendant's cell phone was not active from 11:11 p.m. on August 16 until 6:00 a.m. on August 17, the night of the murders.

MNPD Detective Chad Gish extracted information from the phones but was unavailable to testify at trial. Detective Anthony Heil, who was qualified as an expert in digital forensic analysis, “took the extractions, which is the raw data, from each phone and reported that.” He “opened those extractions up and reviewed the data as if [he] had done the extraction back in 2018.” The raw data that Detective Heil reviewed was the same data that Detective Gish obtained. Detective Heil testified that it was not unusual for detectives in the SISU to testify in each other’s stead.

The extraction of Williamson’s phone included a photograph he took of himself. Defendant’s phone number was listed under “Bam Bam” in the contacts, and there were at least 80 calls from Williamson’s phone to Defendant’s phone. There were also fourteen text messages between the two phones. There were no calls between the two devices at the time of the murders. The extraction showed that Williamson did not regularly check news sources on the internet. However, later in the morning on the day of the shooting, he viewed two news articles about the Cobra murder victims. The extraction also revealed a photo of Mr. Lloyd’s stolen Winchester rifle on August 7, 2018.

The extraction of Defendant’s phone showed that it contained contact information for “Brazy,” which was associated with Williamson’s phone number. The extraction revealed 378 calls and 44 text messages between Defendant’s and Williamson’s phones. On August 9, 2018, at 4:14 a.m., Defendant messaged an unknown Facebook user that he “got a big ass rifle[.]” At 10:15 a.m. on the morning of the murders, Defendant sent a text message to a contact saved as “TT” that stated, “I just need to know if you can tell me if I have a warrant for my arrest.” At 5:15 p.m., Defendant sent a message via Facebook Messenger to Sydney Danielle that said, “Baby I’m running from the police I’m at my homeboy house bout to go to Chicago[.]” At 5:49 p.m., Defendant sent a message to Visha Miller stating, “Thugg had to get low I be gone for a while[.]” Miller responded, “Why[?]” and Defendant wrote, “Thugg I did sum s[**]t if sum happen thugg please promise me that you have my back and make sure you have money on the phone[.]” Miller responded, “Wtf you do Demontrey[.]” and Defendant said, “[’]m not bout to talk like that on Facebook TF this s[**] police[.]” Defendant also viewed a Tennessean news story titled, “Latest on East Nashville shootings: Police pursuing active leads Saturday in homicides[.]”

The extraction of Defendant’s cell phone revealed a Google account, from which Defendant’s GPS locations were determined and mapped. On cross-examination, Detective Heil testified that Detective Gish prepared the PowerPoint presentation that was admitted as an exhibit at trial. The presentation contained comments by Detective Gish that appeared in text boxes on the maps indicating the GPS locations. The comments explained the discrepancy between the UTC timestamp and Central Standard Time. Detective Heil testified that he had “gone through and, on every single slide, verified

against the Google records to make sure that those were exactly the same and then verified the time differences[.]”

Defendant was convicted by a jury as charged on all counts and sentenced to life in prison without the possibility of parole. Defendant filed a motion for new trial, arguing that the evidence was insufficient to sustain his convictions and that the trial court erred by permitting the State to introduce “404(b) evidence at the trial.”² Defendant filed a timely notice of appeal.

Analysis

On appeal, Defendant contends his convictions should be reversed because the admission of Detective Heil’s testimony regarding his cell phone extraction violated his right to confront Detective Gish. Defendant concedes the issue is reviewable only for plain error because he did not object to Detective Heil’s testimony at trial. Defendant argues that Detective Heil testified as a “substitute expert” on behalf of Detective Gish and that his right to confront witnesses was violated. The State responds that no clear and unequivocal rule of law was breached and the Confrontation Clause was not implicated because Detective Heil’s testimony was his own interpretations of the raw cell phone data rather than testimony about an expert report prepared by Detective Gish. We agree with the State.

Defendant relies on *Smith v. Arizona*, in which the United States Supreme Court held that a State may neither introduce “the testimonial out-of-court statements of a forensic analyst at trial . . . through a surrogate analyst who did not participate in their creation” nor introduce those statements as the basis for the surrogate’s expert opinion. 602 U.S. 779, 803 (2024). *Smith v. Arizona* was decided after Defendant’s trial. The release of an opinion changing the law while a defendant’s case is pending on direct review does not alleviate a defendant’s obligation to comply with appellate review preservation requirements. *See State v. Minor*, 546 S.W.3d 59, 70 (Tenn. 2018) (holding that application of a new constitutional rule to cases pending on direct review when the new rule is announced is subject to “existing jurisprudential principles, such as appellate review preservation requirements and the plain error doctrine” and that “if a defendant fails to comply with appellate review preservation requirements, an appellate court must utilize the plain error doctrine rather than plenary appellate review when applying a new rule”).

² The motion states that “[t]he details regarding this issue will be set forth in an amended motion.” The record, however, does not contain an amended motion for new trial, a transcript of the hearing on Defendant’s motion for new trial, or the trial court’s order denying the motion. Regardless, Defendant concedes that the sole issue raised in this appeal is reviewable only for plain error.

Defendant is entitled to relief only if he meets his burden of satisfying the criteria for plain error relief. Unlike plenary review, which applies to all claims of error that are properly preserved, plain error review is limited to those errors which satisfy five criteria: “(1) the record clearly establishes what occurred in the trial court; (2) a clear and unequivocal rule of law was breached; (3) a substantial right of the accused was adversely affected; (4) the issue was not waived for tactical reasons; and (5) consideration of the error is necessary to do substantial justice.” *Minor*, 546 S.W.3d at 67 (citing Tenn. R. App. P. 36(b); *State v. Martin*, 505 S.W.3d 492, 504 (Tenn. 2016); *State v. Hester*, 324 S.W.3d 1, 56 (Tenn. 2010); *State v. Gomez*, 239 S.W.3d 733, 737 (Tenn. 2007)). Moreover, the error must have been of “sufficient magnitude that it probably changed the outcome of the trial.” *State v. Banks*, 271 S.W.3d 90, 119 (Tenn. 2008) (citing *State v. Bledsoe*, 226 S.W.3d 349, 354-55 (Tenn. 2007)).

It is Defendant’s burden to persuade the appellate court that all five criteria are met. *State v. Hatcher*, 310 S.W.3d 788, 808 (Tenn. 2010). “If a defendant fails to establish any of these criteria, an appellate court must deny relief under the plain error doctrine, and an appellate court need not consider all criteria when the record demonstrates that one of them cannot be established.” *Minor*, 546 S.W.3d at 67 (citing *State v. Knowles*, 470 S.W.3d 416, 423 (Tenn. 2015)).

The State argues that Defendant cannot establish that a clear and unequivocal rule of law was breached or that the result of the trial would have been different if Detective Gish had testified rather than Detective Heil.

The Sixth Amendment of the United States Constitution provides, “In all criminal prosecutions, the accused shall enjoy the right . . . to be confronted with the witnesses against him.” U.S. Const. amend. VI. The right to confront witnesses is a fundamental right that applies to the states via the Fourteenth Amendment. *Pointer v. Texas*, 380 U.S. 400, 403 (1965); *State v. Cannon*, 254 S.W.3d 287, 301 (Tenn. 2008). Similarly, article I, section 9 of the Tennessee Constitution guarantees the right to confrontation, providing “[t]hat in all criminal prosecutions, the accused hath the right to . . . meet the witnesses face to face.” Tenn. Const. art. I, § 9. Even though the language of the two constitutional provisions differs, our supreme court has “expressly adopted and applied the same analysis used to evaluate claims based on the Confrontation Clause of the Sixth Amendment.” *State v. Dotson*, 450 S.W.3d 1, 62 (Tenn. 2014) (citations omitted); *see also Cannon*, 254 S.W.3d at 301.

The Confrontation Clause “protects a defendant’s right of cross-examination by limiting the prosecution’s ability to introduce statements made by people not in the courtroom.” *Smith*, 602 U.S. at 784. “Where testimonial evidence is at issue . . . the Sixth Amendment demands what the common law required: unavailability and a prior

opportunity for cross-examination.” *Crawford v. Washington*, 541 U.S. 36, 68 (2004). The issue of whether the admission of an out-of-court statement violated the Confrontation Clause is “a pure question of law” that is “subject to de novo review.” *State v. Franklin*, 308 S.W.3d 799, 809 (Tenn. 2010) (citations omitted). “The Clause’s prohibition ‘applies only to testimonial hearsay.’” *Smith*, 602 U.S. at 784 (quoting *Davis v. Washington*, 547 U.S. 813, 823 (2006)). “To implicate the Confrontation Clause, a statement must be hearsay (‘for the truth’) and it must be testimonial—and those two issues are separate from each other.” *Id.* at 800.

In *Smith*, police executed a search warrant and obtained large quantities of suspected drugs that were sent to a state crime lab and tested by an analyst who prepared typewritten notes and a signed report that documented for each of the items tested: a description of the item; the weight of the item; the test performed; the results of the tests; and a conclusion that the items contained usable quantities of methamphetamine, marijuana, and cannabis. *Id.* at 790. The analyst no longer worked at the crime lab at the time of the defendant’s trial, so the State called another forensic scientist to testify about his “independent opinion on the drug testing performed by [the unavailable analyst].” *Id.*

The *Smith* majority concluded that, “[i]f an expert for the prosecution conveys an out-of-court statement in support of his opinion, and the statement supports that opinion only if true, then the statement has been offered for the truth of what it asserts” and is therefore hearsay. *Id.* at 795. The majority did not reach the issue of whether the statements at issue in that case were “testimonial,” but it nevertheless reiterated that the question “focuses on the ‘primary purpose’ of the statement, and in particular on how it relates to future criminal proceedings.” *Id.* at 800.

The Kentucky Supreme Court recently observed, “the sparse number of jurisdictions that have specifically addressed the interplay of the Confrontation Clause with cellphone data extractions have held that the raw, machine produced data from an extraction, alone, does not constitute testimonial hearsay and therefore does not implicate the Confrontation Clause.” *Baldwin v. Commonwealth*, 723 S.W.3d 676, 693-94 (Ky. 2025). In *Baldwin*, the Cellebrite analyst who conducted the extraction “simply extracted the data” and made no “written, oral, or nonverbal assertions regarding the data.” *Id.* at 692 (citing Kentucky Rule of Evidence 801(a)(1)-(2)).

The State distinguishes *Smith*, arguing that, unlike the expert witness in *Smith*, Detective Heil conducted his own analysis on the raw data extracted by Detective Gish. Indeed, Detective Heil testified that he “opened those extractions up and reviewed the data as if [he] had done the extraction back in 2018.” However, Detective Heil testified about the PowerPoint presentation that Detective Gish prepared, and Detective Gish’s PowerPoint was admitted as an exhibit to Detective Heil’s testimony. Had Detective Heil

testified from the raw data of the cell phone extractions or prepared his own report based on such data, the inquiry would end here.

Defendant asserts Detective Heil “merely took” the PowerPoint Detective Gish created and “repeated the allegations . . . ad nauseum.” We disagree. If Detective Heil had simply repeated the information contained in the PowerPoint, his testimony would indeed implicate the protections of the Confrontation Clause because it was prepared for use at trial and because it came into evidence for its truth. *See Smith*, 602 U.S. at 792-93; Tenn. R. Evid. 801(c) (defining hearsay as “a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted.”). That is not the case here because Detective Heil had access to the raw data obtained through extraction and the expertise to analyze it and draw his own conclusions.

Detective Heil testified that he verified the information contained in the PowerPoint against the raw data, and he explained the processes used to interpret the data. Even if the PowerPoint presentation prepared by Detective Gish constituted testimonial hearsay, Detective Heil testified that he had “gone through and, on every single slide, verified against the Google records to make sure that those were exactly the same and then verified the time differences[.]”

We cannot conclude that an unequivocal rule of law was breached in this case. Moreover, we cannot conclude that if plain error existed, it was “of such a great magnitude that it probably changed the outcome of the trial.” *State v. Adkisson*, 899 S.W.2d 626, 642 (Tenn. Crim. App. 1994). Besides his assertion that “Detective [H]eil was merely parroting Detective Gish’s work product[.]” Defendant offers no explanation for how the result of the trial would have been different if he had been afforded the opportunity to cross-examine Detective Gish directly. A substantial portion of the information contained in Detective Gish’s PowerPoint would have been presented to the jury irrespective of any error on constitutional grounds. It contained the GPS locations of Defendant’s cell phone around the times of the crimes, to which Detective High testified by giving a call detail analysis. It also contained incriminating messages Defendant sent about hiding from the police. Those statements were admissions by a party-opponent and “by definition not hearsay under Rule 801(c) and, thus, do not offend” the Confrontation Clause. *State v. Smith*, No. M2010-02077-CCA-R3-CD, 2012 WL 3776679, at *4 (Tenn. Crim. App. Aug. 31, 2012), *perm. app. denied* (Tenn. Mar. 21, 2013); Tenn. R. Evid. 803.

Even without Detective Heil’s testimony, ample evidence of Defendant’s guilt was presented. The jury was shown surveillance video of the shooting. They were able to compare Defendant’s appearance in that video with his appearance in video from gas stations where Defendant was seen driving a stolen vehicle. Defendant’s fingerprints were

found on Ms. Cothorn's cigarette case and iPhone, and his DNA was found on Mr. Teal's jeans. Defendant is not entitled to relief.

CONCLUSION

Because Defendant has not established plain error, we affirm the judgments of the trial court.

s/Timothy L. Easter

TIMOTHY L. EASTER, JUDGE