

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON

Assigned on Briefs November 4, 2025

FILED

11/24/2025

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. CHARLES WILSON

Appeal from the Circuit Court for Madison County

No. 23-288-A

Joseph T. Howell, Judge

No. W2025-00402-CCA-R3-CD

The defendant, Charles Wilson, was convicted by a Madison County Circuit Court jury of one count of second-degree murder and one count of facilitation of attempted simple robbery for which he received a sentence of twenty-three years in the Department of Correction. On appeal, the defendant argues that the evidence is insufficient to sustain his conviction. After reviewing the record and considering the applicable law, we affirm the judgment of the trial court.

Tenn. R. App. 3 Appeal as of Right; Judgment of the Circuit Court Affirmed

J. ROSS DYER, J., delivered the opinion of the court, in which JOHN W. CAMPBELL, SR. and STEVEN W. SWORD, JJ., joined.

J. Colin Morris, Jackson, Tennessee, for the appellant, Charles Wilson.

Jonathan Skrmetti, Attorney General and Reporter; Ronald Coleman, Senior Assistant Attorney General; Joshua R. Gilbert, Assistant Attorney General (*pro hac vice*); Jody Pickens, District Attorney General; and Brad Champine, Assistant District Attorney General, for the appellee, State of Tennessee.

OPINION

Facts and Procedural History

The defendant and two co-defendants, James Brown and Keyanna Massengill, were indicted for numerous charges arising out of a shooting on the evening of October 31, 2022, that resulted in the death of Travis Hulsey. The State severed Massengill's case upon

agreement and entered into a plea deal with Brown. The State then proceeded to trial against the defendant.

At trial, the State presented the testimony of Massengill and Brown as to the events of October 31, 2022. They testified to the following facts:

On the afternoon of October 31, 2022, Brown and Massengill, cohabitants of Room 212 of the Rodeway Inn, and the defendant made a plan to rob the victim, Travis Hulse. Massengill had previously exchanged Facebook messages with the victim and knew the victim wanted to “come over and hang out.” She also knew that the victim would have money and bring drugs with him. The plan was for Massengill to message the victim and invite him to her hotel room to “chill, get high, get – just have fun.” Once he arrived, Massengill was to call Brown to signal him and the defendant to come and “take everything that [the victim] had.” Both Brown and Massengill testified that the defendant knew the plan was to rob the victim. Brown further testified that when they discussed the plan, the defendant described Halloween as “purge night” and stated, “he wanted to catch a body.” Brown interpreted the statement to imply that the defendant wanted to kill someone.

That evening, Massengill messaged the victim as planned and invited him to her room. The victim arrived, and Massengill motioned him into Room 212 as Brown waited in his vehicle. About the same time, the defendant entered the parking lot on foot and joined Brown.¹ After several minutes had passed and Massengill failed to signal Brown, he sent a text message asking Massengill if she was “ok.” She did not respond.

Brown and the defendant exited the vehicle, carrying firearms. Brown armed himself with a “P22,” a .22 long rifle, and the defendant carried a 9mm handgun. The defendant also wrapped his shirt around his face to shield his identity. They proceeded up the exterior stairwell towards Room 212. When they reached the room, the door was slightly ajar. The victim, hearing them approach, shut the door and flushed his drugs down the toilet. However, Brown was able to use his key card to gain entry to the room.

After unlocking the door, Brown confronted the victim, and they began “tussling.” Immediately, the defendant drew his 9mm handgun and aimed it at the victim. The victim drew his BB gun and shot Brown in his chin and chest before turning to flee toward the east stairwell. As the victim turned, the defendant fired two close-range shots at him. The

¹ The State also presented the testimony of Isaiah Gibson. Mr. Gibson was present in Brown’s vehicle at the time of the shooting. However, his testimony established that his presence in the vehicle was unplanned as he “had just popped up on” Brown. Furthermore, Mr. Gibson testified he had no prior knowledge of and provided no assistance in the planning of the robbery. Upon hearing the gunfire, Mr. Gibson exited Brown’s vehicle. In his testimony, he agreed with the State that he did not want “anything to do with what was going on” with the defendant and Brown.

three men rapidly dispersed in opposite directions. Brown, fleeing toward the west stairwell, fired one shot with his .22 long rifle in the direction of the victim. The defendant, also running toward the west stairwell, fired an additional shot toward the victim. One of the bullets fired by the defendant hit the victim in his chest and killed him.

Kevin Mooney with Jackson Police Department (JPD) criminal investigative division processed the scene of the shooting, which included taking photographs and collecting evidence. Investigator Mooney recovered one .22 long rifle casing on the west side of the upper level of the building. He also recovered three 9mm casings located on the top level at the midpoint of the walkway and on the bottom level. The victim's body was found at the bottom of the east stairwell. Inv. Mooney also examined the projectile fragments recovered from the victim and compared them to the recovered casings. He testified that based upon his experience, the projectile fragments found inside the victim were too large to have been shot from a .22 long rifle.

Investigator Daniel Long with the JPD's Major Crimes Unit reviewed the video footage from the surveillance cameras of the Rodeway Inn and identified the defendant, as well as Brown and Massengill. Inv. Long testified that the video footage shows that after the victim arrived, the defendant approached and entered Brown's vehicle. After a few minutes, Brown and the defendant are seen exiting the vehicle, climbing the west stairwell, and walking along the west wall until they arrive at Room 212. When the door to the room opened, the confrontation between Brown and the victim immediately escalated into a physical altercation. The defendant quickly drew his 9mm handgun. The video footage then shows the victim fire his BB gun at Brown and then flee towards the east end of the building. Simultaneously, the defendant fired his 9mm handgun twice at the victim. Inv. Long testified that the locations seen on the video of the defendant raising his weapon and firing corresponded to the locations where two 9mm casings were located by the crime scene unit. The video footage also shows the defendant and Brown running along the west wall towards the west stairwell. As he ran, the defendant fired a third round in the victim's direction. The defendant and Brown then fled to Brown's vehicle and left the scene.

Medical Examiner Dr. Ashley Rivera conducted the autopsy on the victim. The autopsy revealed the victim sustained one gunshot wound to his chest which perforated his heart and lungs. Dr. Rivera concluded that the cause of death was a gunshot wound and manner of death was homicide.

The defendant presented testimony on his own behalf, offering a version of events contrary to that of Brown and Massengill. He testified that on the evening of October 31, 2022, he had returned to the Rodeway Inn from grocery shopping when Brown offered to repay a \$100 loan the defendant had made to him the previous week. When the defendant entered Brown's vehicle to receive the payment, he heard Brown "arguing." Brown told

the defendant there was a man in his room, and he was going to confront him. He asked the defendant to come with him to “have his back.” Brown suggested the defendant wear his shirt around his face to help conceal his identity from the hotel staff and prevent him from being kicked out of his room. The defendant testified that he did not take part in the planning of or have the intent to rob the victim.

According to the defendant, he was in fear for his life after Brown and the victim began fighting and both brandished weapons. He testified that he “just started firing back” as he fled the scene and did not aim at or intend to kill the victim.

Following the conclusion of proof, the jury convicted the defendant of the lesser-included offenses of second-degree murder and facilitation of attempted simple robbery, and after a sentencing hearing, the trial court imposed an effective sentence of twenty-three years confinement. This timely appeal follows.

Analysis

On appeal, the defendant argues the evidence is insufficient to sustain his convictions for second-degree murder and facilitation of attempted simple robbery. Specifically, the defendant contends the evidence is not sufficient because he “never had the intent to kill” and there was “never a simple robbery or an attempt to commit a simple robbery.” The State asserts there was sufficient evidence for the jury to convict the defendant. 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. *See 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 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 (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).

Guilt may be found beyond a reasonable doubt where there is direct evidence, circumstantial evidence, or a combination of the two. *State v. Matthews*, 805 S.W.2d 776, 779 (Tenn. Crim. App. 1990) (citing *State v. Brown*, 551 S.W.2d 329, 331 (Tenn. 1977); *Farmer v. State*, 343 S.W.2d 895, 897 (Tenn. 1961)). The standard of review for sufficiency of the evidence “is the same whether the conviction is based upon direct or circumstantial evidence.” *State v. Dorantes*, 331 S.W.3d 370, 379 (Tenn. 2011) (quoting *State v. Hanson*, 279 S.W.3d 265, 275 (Tenn. 2009)). Moreover, the jury determines the weight to be given to circumstantial evidence and the inferences to be drawn from this evidence, and the extent to which the circumstances are consistent with guilt and inconsistent with innocence are questions primarily for the jury. *See id.* at 379. Circumstantial evidence alone may be sufficient to support a conviction. *State v. Richmond*, 7 S.W.3d 90, 91 (Tenn. Crim. App. 1999). This Court, when considering the sufficiency of the evidence, shall not reweigh the evidence or substitute its inferences for those drawn by the trier of fact. *Id.* This Court will not exchange its “inferences for those drawn by the trier of fact from circumstantial evidence.” *State v. Matthews*, 805 S.W.2d 776, 779 (Tenn. Crim. App. 1990).

I. Second-Degree Murder

Here, the defendant was charged with first-degree murder; however, the jury returned a verdict on the lesser-included offense of second-degree murder. Second-degree murder is the “knowing killing of another” and is a result-of-conduct offense. Tenn. Code Ann. § 39-13-210(a)(1); *State v. Page*, 81 S.W.3d 781, 787 (Tenn. Crim. App. 2002). A person acts knowingly “when the person is aware that the conduct is reasonably certain to cause the result.” Tenn. Code Ann. § 39-11-302(b). “[T]he ‘nature of the conduct’ that causes death is inconsequential.” *Page*, 81 S.W.3d at 787 (quoting *State v. Ducker*, 27 S.W.3d 889, 896 (Tenn. 2000)). Thus, a knowing intent is shown if the defendant acts with an awareness that his conduct is reasonably certain to cause the victim's death. *See id.* at 790-93. Whether a defendant acted “knowingly” is a question of fact for the jury. *State v.*

Inlow, 52 S.W.3d 101, 104-105 (Tenn. Crim. App. 2000). In assessing the defendant's intent, the jury may rely on “the character of the assault, the nature of the act and [on] all the circumstances of the case in evidence.” *Id.* at 105 (citing *State v. Holland*, 860 S.W.2d 53, 59 (Tenn. Crim. App. 1993)).

The defendant asserts the evidence does not support a verdict for a knowing killing of another because he never formed the intent to kill the victim. However, viewed in the light most favorable to the State, the evidence was sufficient for the jury to find the defendant acted “knowingly.” The evidence shows the defendant, along with Brown and Massengill, lured the victim to the Rodeway Inn. The defendant went to Massengill’s room, masked and armed. Once the victim and Brown began to struggle, the defendant raised his weapon and fired two rounds at the victim from close range. The defendant then discharged his weapon a third time in the direction of the victim. The proof also revealed that it was a bullet fired from the defendant’s gun that hit the victim in the chest and killing him.

Given this proof, a rational trier of fact could have found beyond a reasonable doubt that the defendant was aware that firing three shots at Mr. Hulseby was reasonably certain to kill him. The defendant contends that the State failed to prove he had the intent to kill the victim. However, whether the defendant acted “knowingly” was a question of fact for the jury. *Inlow*, 52 S.W.3d at 104-105. Although the defendant claimed he did not aim to kill Mr. Hulseby, the jury, by way of their verdict, rejected the defendant’s version of the events of that day. The determination of credibility and weight of testimony of witnesses belongs to the province of the jury. *Pappas*, 754 S.W.2d at 623. Considering this evidence in light most favorable to the State, the evidence is sufficient to support the defendant’s conviction for second-degree murder.

II. Facilitation for Attempted Simple Robbery

The defendant was also initially charged with especially aggravated robbery; however, the jury returned a verdict on the lesser-included offense of facilitation of attempted simple robbery. “Robbery is the intentional or knowing theft of property from the person of another by violence or putting the person in fear.” Tenn. Code Ann. § 39-13-401. 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). “A person is criminally responsible for the facilitation of a felony, if, knowing that another intends to commit a specific felony, but without the intent required for criminal responsibility under § 39-11-402(2), the person knowingly furnishes substantial assistance in the commission of the

felony.” Tenn. Code Ann. § 39-11-403. Accordingly, to support a conviction for facilitation of attempted robbery, the evidence must demonstrate that the defendant knew that one of the co-defendants intended to rob the victim, and that the defendant furnished substantial assistance in the commission of that crime.

A view of the evidence in a light most favorable to the State establishes that the defendant knew of and participated in the plan to rob Travis Hulse. Brown and Massengill testified that the defendant knew of the plan to lure the victim to the hotel to rob him, and the video footage showed the defendant accompany Brown to the hotel room while he was masked and armed with a 9mm handgun. This evidence supports a conviction for facilitation of attempted simple robbery of the victim. Therefore, the evidence is sufficient, and the defendant is not entitled to relief.

CONCLUSION

Based on the authorities and reasoning, we affirm the judgment of the trial court.

s/ J. ROSS DYER
J. ROSS DYER, JUDGE