

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

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(including county)

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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.

I am employed by the State of Tennessee as an Assistant District Attorney for the 23rd Judicial District, District Attorney's Office. I am currently assigned to prosecute cases in Houston County Circuit Court, Houston County General Sessions Court, and Houston County Juvenile Court as well as Stewart County Circuit Court. I also volunteer to cover court in the other three counties in our judicial district when needed.

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

2012 – BPR #030842

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, April 2012, active - 030842

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

No

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

May 2023 – Present – 23rd Judicial District, District Attorney's Office, 604 Spring Street, Charlotte, Tennessee 37036 (assistant district attorney)

November 2022 – April 2023 – Ramsey, Thornton, Barrett, Osborn, PLC, 702 East College Street, Suite 200, Dickson, Tennessee 37055 (associate attorney)

October 2013 – October 2022 – 23rd Judicial District, District Attorney's Office, 604 Spring Street, Charlotte, Tennessee 37036 (assistant district attorney)

January 2013 – August 2013 – Griffith and Roberts, PLLC 213 5th Ave N. #300, Nashville, Tennessee 37219 (associate attorney)

May 2012 – December 2012 – Law Office of Talmage M. Woodall, 219 3rd Ave. North, Franklin, Tennessee 37064 (criminal defense attorney)

March 2012 – April 2012 – Law office of Brogdon, Creasy, and Sanders PLLC, 230 North Main Street, Dickson, Tennessee 37055 (intern/law clerk)

February 2009 – December 2011 – Circuit Court Judges for the 21st Judicial District, Williamson County, Tennessee (law clerk/court officer)

January 2007 – January 2009 – The Office of the Tennessee Secretary of State, Publications Division, 312 Rosa L. Parks Ave., Nashville, Tennessee 37243 (reviewed and edited changes in rules and regulations/delivered blue books to all representatives)

May 2006 – August 2006 – Jackson Hole Mountain Resort, 3395 Cody Lane, Teton Village, WY 83025 (guest services/front desk attendant)

May 2005 – August 2005 – Tuscaloosa County District Attorney's Office, Tuscaloosa County Courthouse, 714 Greensboro Ave., Suite 410, Tuscaloosa, Alabama 35401 (summer intern in which I received college credit)

May 2004 – August 2004 – Turfscape of West Alabama, LLC, 1717 18th Place, Tuscaloosa, Alabama 35401 (lawn care laborer)

May 2003 – August 2003 – Martin Brower (McDonald's Distribution Center) 195 Printwood Drive, Dickson, Tennessee 37055 (warehouse laborer)

May 2002 – August 2002 - Martin Brower (McDonald's Distribution Center) 195 Printwood Drive, Dickson, Tennessee 37055 (warehouse laborer)

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.

Presently my practice is 100% criminal prosecution. I am assigned to prosecute all the criminal cases arising out of Houston County Circuit Court, General Sessions Court, and Juvenile Court as well as criminal cases in Stewart County Circuit Court. I also volunteer to cover court in our other three counties.

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 majority of my legal career has been primarily in the field of criminal law, either criminal defense or prosecution. When I passed the bar exam in April of 2012, I wanted to open my own law office in Franklin, Tennessee, because I had worked as a law clerk and court officer for the

Williamson County Circuit Court Judges for approximately three years from February 2009 to December 2011, while I attended the Nashville School of Law. I was familiar with the court system in that district and felt comfortable to begin my legal career in Franklin. My practice was 90% criminal defense and 10% civil. I was handling appointed and retained criminal cases in Williamson, Dickson, and Hickman counties in both circuit and general sessions courts.

In December of 2012, I was offered an opportunity to join Griffith and Roberts, PLC as an associate attorney in Nashville, Tennessee. I started there in January of 2013 practicing 100% personal injury law. I learned how to work a personal injury case from the initial client interview, filing demand letters, negotiating with insurance adjusters, preparing and filing complaints, depositions, and trials. I enjoyed learning the aspects of personal injury law, but I did miss criminal defense work and being in the courtroom on a regular basis. In August of 2013, I departed from the law firm in an amicable manner.

In October of 2013, I was hired by District Attorney Dan Alsobrooks as an assistant district attorney for the 23rd Judicial District. I was assigned as the DUI prosecutor, a federal grant position, for Cheatham, Dickson, and Humphreys Counties. I prosecuted all the DUIs, Vehicular Assaults and Vehicular Homicides in the general sessions and circuit courts in those three counties. In March of 2015, District Attorney Ray Crouch assigned me to prosecute all cases arising out of the Circuit, General Sessions, and Juvenile Courts of Houston County. In January of 2021, I was assigned to prosecute cases in Dickson County Circuit Court in addition to Houston County Circuit Court.

In November of 2022, I was hired as an associate attorney at the law firm of Ramsey, Thornton, Barrett, Osborn, PLC in Dickson, Tennessee. My practice at this firm was 90% civil consisting of probate law, property law, contractual law, and estate planning. The remaining 10% was criminal defense. I learned the process of opening and closing an estate, I represented clients in contractual disputes in both general sessions and chancery court. I also represented a client in a home construction matter that was set for arbitration but settled without a hearing. I enjoyed working with everyone in the firm, but I realized that I missed being in the courtroom on a regular basis.

In May 2023, I was hired back as an assistant district attorney for the 23rd Judicial District by District Attorney Ray Crouch, where I am currently employed.

Although I have grown from every experience in my legal career, what has molded me into the lawyer I am today have been my experiences as an assistant district attorney. This job has given me invaluable courtroom and trial experience. I have tried over forty-five jury trials in every county of our judicial district. The types of cases that I have tried include DUIs, vehicular homicides, attempted 1st degree murders, aggravated assaults, simple assaults, domestic assaults, thefts, arsons, rape of a child, aggravated sexual battery, sexual battery by an authority figure, drug offenses, second degree murder and first degree murder. I learn something new every time I have a jury trial, which has only sharpened my legal skills. The skill sets that I have obtained through my experience would be a tremendous asset if I am appointed to be a Circuit Court Judge. One of those assets is my ability to use good, sound discretion in every case that I handle. I use my sound discretion and evaluation of cases in making settlement offers based on

the crime the defendant committed, the facts that can be proven at trial, the defendant's criminal history, and fairness towards the victim. A prosecutor and a judge must use sound analysis in applying the law to facts in each case. There have been times in General Sessions Court or Circuit Court that a suppression issue has been raised by a defense lawyer, and after analysis I have agreed the evidence should be suppressed. The ability to have sound discretion as a Circuit Court Judge in making decisions that affect someone's liberty and/or property; as well as impact how a child will be raised and who will raise a child in custody disputes is extremely important and something that I will not take lightly if appointed to this position.

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

State v. Craig Odom – Dickson County Circuit Court (2013) I was appointed to represent Mr. Odom in my first year of practicing law. Mr. Odom was a young man who had consensual sex with a female outside of a bar in White Bluff, Tennessee. After the two were finished with the act, they both went back into the bar and multiple witnesses saw the same female continue to dance and flirt with my client the remainder of the evening. The next day, the female reported to the authorities that my client had forcibly raped her outside the bar in White Bluff. The case was presented to the Dickson County Grand Jury and my client was charged with one count of rape. I believed my client had not committed rape as charged in the indictment. It had a profound effect on me as a young lawyer, because it made me realize from the very beginning how important my job was to prevent my client from being found guilty and going to prison for eight to twelve years. The prosecutor handling the case was hesitant to offer a plea agreement for a reduced charge. Therefore, I vigorously prepared the case for trial. A few days before the case was set to be heard, the prosecutor offered my client to plea to a misdemeanor assault charge with the sentence to be served on probation. I discussed the pros and cons of the offer with my client, and he decided to enter a no contest/best interest plea to misdemeanor simple assault and receive a sentence of eleven months and twenty-nine days on probation.

State v. Dana Nicholson – Houston County Circuit Court (2016) – This was my first vehicular homicide jury trial, in which District Attorney Ray Crouch, Assistant District Attorney Jack Arnold, and myself prosecuted. It was a four-day trial with multiple witnesses. The defendant was driving her car, in which her boyfriend, Ryan Arthon, was the passenger. The defendant was operating her vehicle under the influence of oxycodone and marijuana when she ran through a stop sign at the intersection of highway 46 and highway 13 in Houston County and was tee boned by a vehicle operated by Daniel Lyons who was driving south on highway 13. The vehicle operated by Daniel Lyons struck the passenger side of the defendant's vehicle and killed Ryan Arthon. After four days of hearing testimony from multiple lay witnesses and expert witnesses, the jury found Dana Nicholson guilty of vehicular homicide by intoxication and she was sentenced to nine years to serve in TDOC custody. She was furloughed to a twelve-month treatment center, successfully completed the program, and placed on probation for the remainder of her sentence.

State v. Benjamin Franklin – Houston County Circuit Court (2017) This was the worst fact pattern for a vehicular homicide that I have handled in my career. The defendant was operating a Dodge Ram truck traveling south on highway 13 when he drove into the opposite lane of traffic and struck a Saturn car head on, instantly killing all three passengers in the Saturn. The passengers in the Saturn were twenty-year-old William Griggs, nineteen-year-old Cassidy Leonard, and their ten-day old daughter Kimberlynn Griggs. District Attorney Ray Crouch, Assistant District Attorney Jack Arnold and myself tried this case, which lasted for three days. This case was unique in the fact that we had to prove intoxication with circumstantial evidence. The defendant was ejected from his vehicle and sustained critical injuries. The proof we had included a urine sample taken from the defendant at Three Rivers Hospital in Waverly, which was positive for oxycodone and methamphetamine. The nurses who treated the defendant at the hospital testified that they were unable to obtain a blood sample from the defendant because his veins were too collapsed. The nurses also testified that they noticed multiple track marks on the defendant's arms and that he admitted to using IV drugs, specifically oxycodone. The nurses and attending doctor also testified that the defendant was combative, appeared altered, was confused and had slurred speech. The defendant was life flighted to Vanderbilt medical center, in which he received three blood transfusions en route to Vanderbilt. By the time officers from the Tennessee Highway Patrol obtained a blood sample from the defendant at Vanderbilt, any intoxicants that would have been present at the time of the crash were flushed out of his system and replaced by blood transfusions. This evidence along with the proof that the defendant was clearly in the opposite lane of travel at the time of impact was sufficient circumstantial evidence to prove the defendant was driving under the influence of an intoxicant at the time of the crash. The jury found the defendant guilty of three counts of vehicular homicide. The defendant was sentenced to twelve years to serve on each count running consecutively with each other for an effective thirty-six-year sentence to serve in TDOC custody.

State v. Richard Tyson – Houston County Circuit Court (2018) This case involved a defendant, who was a high school teacher at Houston County High School. The defendant was charged with two counts of sexual battery by an authority figure and two counts of solicitation of a minor. The victim was a fourteen-year-old female student in the defendant's world history class. The victim testified at trial that the defendant, on two different occasions, kissed and groped her in her private area. The victim also testified that the defendant had sent her inappropriate text messages during school hours, describing sexual positions he wanted to perform on her. After a two-day trial, the jury found the defendant guilty of two lesser included charges of sexual battery and two charges of solicitation of a minor. The defendant had no prior criminal history, and he was sentenced by the court to serve six years, with nine months in custody and the balance on probation.

State v. Kenny Spears – Houston County Circuit Court (2021) This case was my initial first degree murder trial. Although the incident occurred in Houston County, venue was changed by agreement to Dickson County, because the victim was employed in the Houston County Clerk's office and was well known throughout the community. District Attorney Ray Crouch and I tried this weeklong trial in Dickson County in April of 2021. The victim was Ms. Donita Spears, and she was married to the defendant at the time of the incident. In this case, the defendant and his wife returned home from a local bar on the evening of the murder and upon returning home the

defendant brutally beat and murdered his wife, causing multiple blunt force trauma to the victim's head and mid-section. After causing serious bodily injury to the victim, the defendant used a ratchet strap and placed it around the victim's neck. The defendant used the strap to strangle her and fracture her neck. According to the medical examiner this would have been immediately fatal. There were multiple injuries on the victim's body in which some occurred prior to death and some post death, because the defendant had to drag her body inside the house after he killed her. The defendant was interviewed by TBI investigator Brandt Holt. The defendant stated that the reason she received injuries to her head and mid-section was because she was highly intoxicated when they arrived home, and she fell and hit her head on the brick stairs of the front porch and as a result passed out. The defendant also stated that he used the ratchet strap to tie around her chest to pull her into the house. The defendant stated that his wife was alive and on the bathroom floor, bleeding from the head at 8:30 am the following morning. The defendant called 911 for medical assistance in that approximate time frame. We argued that the defendant's interview was completely self-serving, and the physical evidence of the injuries on the victim's body told a completely different story of how she died, in which the defendant brutally beat her and finished her off by choking her to death with a ratchet strap. The jury convicted the defendant of second-degree murder, and he was sentenced to serve twenty-five years in TDOC custody.

State v. Kenneth Niles – Dickson County Circuit Court (2022) This case was originally a double murder death penalty case which was tried in January 2020 and resulted in a hung jury. In April 2022, District Attorney Ray Couch, Assistant District Attorney Jennifer Stribling, and myself tried this case again, but the state did not seek the death penalty. This was a six-day jury trial with multiple witnesses. Our case relied on strong circumstantial evidence that directly pointed to the defendant entering the apartment of the two victims, Chris Goldtrap and Lisa McDonald, murdering them with a firearm, and then coming back a couple of hours later to set their house on fire. The house was not a complete loss and the medical examiner's office was able to conduct autopsies on the bodies of the victims, although they were burned. The cause of the victim's deaths were gunshot wounds to the head, and the bodies were in rigor mortis when extracted from the home, indicating that they had died hours before the defendant had come back to the crime scene to set the house on fire. There was video surveillance from multiple business security cameras that showed a white van, which was the same make, color, and model of the defendant's van, pull out from the road where the victim's house was located. The van was driven down the Highway 70 bypass towards the location of the defendant's home, five minutes before 911 received a call of a house fire at the victim's residence. The defendant's white van also had Chris Goldtrap's DNA, in the form of blood drops, located in the rear cargo area of the van. We argued that Mr. Goldtrap's blood was transferred from the crime scene, because the defendant stole three pistols from Mr. Goldtrap, and his blood had to be on either the guns or the cases for those guns, due to the vicinity of where Mr. Goldtrap kept those guns and where his body was located in the house. The defendant was interviewed, and he did admit to being at the victim's house between 7:00 p.m. and 9:30 p.m., the night they were murdered. The time frame of this admission was important to link the defendant to the murders, because Mr. Goldtrap's phone records indicated that his phone stopped connecting to any tower at 9:00 p.m., which meant it was either destroyed or manually turned off. Neither of the victim's phones were ever recovered. What was recovered a few months after the murder of both victims were the two gun cases and a pistol that belonged to Chris Goldtrap. They were found in a ditch alongside a

road in the city limits of Dickson, approximately four miles from the victim's residence. The jury convicted the defendant of two counts of first-degree murder, in which he was sentenced to serve two life sentences consecutively in TDOC custody.

State v. Matthew Welch (2022) Dickson County Circuit Court (2022) This case was a first-degree murder trial which District Attorney Ray Crouch and I tried in October of 2022. This was a three-day trial, in which the defendant brutally murdered the victim, Gary Baker, with a four-foot-long steel ratchet bar. The entire incident was captured on the victim's home security camera system located outside of his house. The defendant arrived at Mr. Baker's residence in his truck and as soon as he exited, he grabbed the murder weapon from the back of his truck. Subsequently the defendant ran towards the victim as the victim was approaching the defendant. The two men ran onto the back deck where Mr. Baker was thrown off the porch by the defendant. The defendant was able to get on top of the victim and began to punch him. As this was occurring the victim's girlfriend ran outside with a pistol, approached the defendant, pointed the pistol at the defendant's head. She pulled the trigger, but the gun did not go off. The defendant grabbed the gun and threw it. The defendant then pushed the victim's girlfriend away. She subsequently ran to get assistance. At that point Mr. Baker was still lying on the ground and not moving, due to the injuries sustained by the defendant. The defendant then grabbed the metal ratchet bar and struck Mr. Baker in the chest and head, which resulted in his death. The defendant was immediately arrested at the scene once law enforcement arrived. The jury convicted the defendant of second-degree murder, and he was sentenced to serve twenty-five years in TDOC custody.

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

One of the best jobs I had prior to becoming a lawyer was a job that I had while I was attending the Nashville School of Law. I was fortunate enough to be hired as a law clerk/court officer for the Circuit Court Judges of the 21st Judicial District, prior to the start of my third year of law school. The judges that I worked for at the time were Judge James Martin, Judge Timothy Easter, Judge Robbie Beal and Judge Jeff Bivens. There were two law clerks and we both attended Nashville School of Law. We would alternate months, in which one month I would be assigned to the criminal court room and the next month I would be assigned to the civil courtroom. My duties on days that court was in session were to open court, sit through all court hearings and trials, criminal and civil, pass up exhibits to the judge and witnesses, and give assistance to the jurors during a jury trial. On days when court was not in session, I would do legal research and draft briefs on civil matters for the judges. This job made me realize that you never know how a jury is going to decide a case, despite the proof that was presented at trial. In my opinion, this was the best job any law school student could ever have, because it gave me a great understanding of criminal and civil procedure in real time. Being able to sit through multiple criminal and civil jury trials, motions and hearings was a tremendous asset to me prior to obtaining my law license in April of 2012.

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

This will be the first time I have applied.

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.

University of Alabama – August 2002 – December 2006 – Bachelor of Arts and Sciences (History major and Criminal Justice major)

Nashville School of Law – February 2007 – December 2010 – J.D.

PERSONAL INFORMATION

12. State your date of birth.

[REDACTED]

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

I have lived in the State of Tennessee all my life, except the time period when I was living in Tuscaloosa, Alabama, in which I was attending college and when I lived and worked in Jackson Hole, Wyoming in the summer of 2006.

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

Ten years. Although my family moved to Dickson County in 1990 from Benton County. I lived in Dickson County from 1990 to 2002, when I attended the University of Alabama in Tuscaloosa. Upon graduating from the University of Alabama, I moved to Nashville, Tennessee in 2007, and lived there until I moved back to Dickson County in 2014.

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

Dickson 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.

I have received two game violation citations in the State of Mississippi, for which I paid them and did not go to court to contest the violation.

January 18, 2014 – State of Mississippi Game violation – Trespass/Hunting, Mississippi Code 97-17-93, Citation No. 3026432. I paid the fine of \$287.00. On this date, myself and three friends went onto the adjacent property to our hunting lease. This property had some old catfish pods that had filled with rainwater and ducks were using the pods. No one hunted on this property, and there were no visible no trespassing signs. We went over there to hunt without first asking for permission to do so. A game warden later came and asked if we had permission to hunt. We told him that we had not obtained permission. The game warden then called the landowner and at his request the game warden issued trespassing citations to all of us.

January 31, 2020 - Federal game violation – Untagged Duck, 16 U.S.C. 703; 50 CFR 20.36, Citation No. W0802144. I paid the fine of \$330.00. On this date, I was hunting with seven other individuals, four of whom were from Virginia. It was the last day of the season, and we harvested thirteen ducks that morning, well below the legal limit for our group, which was a total of forty-eight ducks. The four hunters from Virginia left the blind before me, and the three other hunters, and they took the thirteen ducks with them. Myself and the other three hunters stayed and picked up the decoys and gathered all our equipment from the blind. We left the blind and arrived at our trucks at approximately noon that day and the state game warden was there to meet us. He checked all our license status and asked me if I had harvested a duck. I replied yes, I knew for sure I had killed one. He then asked me where the duck was, and I told him that the hunters from Virginia had taken the birds with them when they left. The game warden then asked me if I had tagged the duck and indicated on the tag that I had given the duck to one of the Virginia hunters. I responded that in all my years of duck hunting I have never tagged a duck and was not aware of such a requirement. The game warden informed me that it was a violation to give another person an untagged duck. He requested my name and contact information and said he was turning this information over to the federal game warden and I may hear back from him. In November 2020, I received a federal citation via U.S. Mail charging me with one violation of the Migratory Treaty Act, which is when you leave any migratory bird in the custody of another person, without tagging it. I was fined \$330.00, and I paid the citation without contesting the violation.

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

No

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

I have had three Consumer Assistance Program claims filed against me, all of which have been in my capacity as a prosecutor. All three I responded to and all three were summarily dismissed before said claims could be presented to the Board of Professional Conduct.

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

No

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

No

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

No

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.

Dickson County Republican Party – Treasurer, January 2023 – June 10, 2024. I resigned on June 10th prior to filing my application for this position, because I cannot ethically hold this position and be a judicial applicant.

Dickson County Chamber of Commerce – member in 2022

Dickson Noon Rotary – member from 2015 -2019

Beta Theta Pi – Fraternity Organization at the University of Alabama. I was a member from my freshman year in 2002 to my graduation in 2006. I served as the pledge educator in 2005.

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.

Beta Theta Pi. This fraternity limits memberships to men only. I was a member while I attended the University of Alabama from 2002 to 2006. I have not been active with the fraternity since my graduation in 2006, but I would continue my limited participation in this organization because I value the fellowship gained from being a member. In my opinion, being a member of a college fraternity or sorority, where membership is based on gender, is not in conflict with any ethical standard of the judicial code of conduct.

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.

Not applicable

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

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

I was a candidate for Dickson County General Sessions Judge on the August 2022 ballot. I was unsuccessful in my campaign against the incumbent and current General Sessions Judge, but I did receive forty-three percent of the votes cast in my race, which was 2,859 votes.

ESSAYS/PERSONAL STATEMENTS

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

I grew up and was raised in Dickson County, and now I am raising my own family here. I felt a calling to serve my community in 2022, when I ran for Dickson County General Sessions Judge, and that feeling still exists today. I believe that I could best serve this community as a Circuit Court Judge based on my skills and work ethic. Throughout my career I have had working relationships with everyone involved in the judicial system, including victims, victims' families, law enforcement, employees of the clerks' offices, attorneys, judges. Moreover, I have represented clients in civil matters and clients who were criminal defendants. I know that being fair, impartial, and respectful to all parties involved in the court system is the proper way to conduct myself. If I am fortunate enough to be appointed Circuit Court Judge, I would perform my duties in a manner consistent with how I have performed my work as an assistant district attorney and in private practice. I would treat everyone fairly, impartially, and with respect, listen to their arguments, follow the law, and make the proper decision, even though that decision may be publicly unpopular.

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)*

The judgeship that I am seeking is to be appointed Circuit Court Judge for the 23rd Judicial District, Fourth Division. Currently our district has three Circuit Court Judges who preside over five counties, Cheatham, Dickson, Humphreys, Houston and Stewart. This position, like the other three judges, will handle criminal, civil, and chancery matters for all five counties. Our district has needed a fourth Circuit Court Judge since 2013. The main reason is the increase in population our district has experienced, especially in Dickson and Cheatham counties. With the population increase, our district has experienced increased caseloads, which leads to inaccessibility to the court, when there are not enough judges to hear cases. The fourth Circuit Court Judge will have an immediate impact on better accessibility to our district's court system. I would also consider implementing efficient scheduling orders for criminal and civil cases in

order to keep better track of cases. Our district already operates a drug court, for which I am a strong proponent. If I am appointed, I will examine the possibility of having a mental health court in our district.

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

I will, if appointed to this position, uphold the law, even if I disagree with the law. I firmly believe that it is the role of the legislature to create the law, and the judicial branch to interpret and enforce the law. One statute that I have issues with is Tenn. Code Ann. §39-17-1321 possession of a handgun while under the influence, specifically, subsection (a) which states “it is an offense for a person to possess a handgun while under the influence of alcohol or any controlled substance or controlled substance analogue”. In my opinion this statute is vague and overbroad. I have been around firearms my entire life and in no way do I advocate mixing drugs and alcohol with recreational use of a firearm. This section of the statute does not specify possession of a handgun on public or private property. It also does not specify actual or constructive possession of a handgun while under the influence. Under my interpretation of this statute, a person can be intoxicated at their private residence, and at the same time have access to a handgun located in their residence, therefore be in violation of this statute.

Despite my personal feelings toward this statute, it has not stopped me from following the law and prosecuting individuals who have been charged with Tenn. Code Ann. §39-17-1321. I have tried a case where a defendant was charged with Possession of a Handgun while intoxicated to a jury. That case was *State v. Stephen Jaco*, a Humphreys County case in which the defendant was charged with DUI 1st Offense (Per Se) and Possession of a Handgun while under the influence. The jury found the defendant guilty of both counts.

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.

W. Ray Crouch, District Attorney for the 23rd Judicial District, [REDACTED]

Jerred A. Creasy, Juvenile Court Judge for Dickson County [REDACTED]

Larry J. Wallace, Circuit Court Judge for the 23rd Judicial District, Cheatham County Courthouse, 100 Public Square, Ashland City, Tennessee 37014 – [REDACTED]

Andy Daniels, Daniels Government Relations, [REDACTED]
[REDACTED]

Will C. Morrison IV, Drug Task Force Agent for the 23rd Judicial District, [REDACTED]
[REDACTED]

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 Circuit Court of the 23rd Judicial District 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: June 10, 2024.


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.

Talmage M. Woodall
Type or Print Name

[Signature]
Signature

June 10, 2024
Date

030842
BPR #

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