

COURT OF APPEALS OF TENNESSEE

Mawule Tepe v. Connor McCarthy Blair

No. E2025-02002-COA-T10B-CV (Tenn. Ct. App. Jan. 13, 2026) · No. E2025-02002-COA-T10B-CV · Decided January 13, 2026

SUMMARY

The Tennessee Court of Appeals reviewed an interlocutory appeal under Tennessee Supreme Court Rule 10B challenging the denial of motions to recuse the trial judge. The court affirmed the denial of recusal in all other respects but vacated a pre-filing screening order and pre-filing injunction entered while the recusal motion was pending without a contemporaneous good-cause finding. The case was remanded, and the court declined to award appellate attorney’s fees.

CASE DETAILS

COURT	Court of Appeals of Tennessee
WRITING FOR THE COURT	Kristi M. Davis; Andy D. Bennett; Carma Dennis McGee
JURISDICTION	Tennessee Court of Appeals
DECIDED	January 13, 2026
DOCKET	E2025-02002-COA-T10B-CV
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Interlocutory appeal as of right under Tennessee Supreme Court Rule 10B from the trial court's denial of motions to recuse. The appeal also addressed the trial court's entry of a pre-filing screening mechanism and pre-filing injunction while the recusal motion was pending.
STANDARD OF REVIEW	De novo review with no presumption of correctness applies to a trial court's ruling on a motion for recusal under Tennessee Supreme Court Rule 10B. The party seeking recusal bears the burden of proof.
PRECEDENTIAL VALUE	Published Tennessee Court of Appeals opinion; precedential value is not otherwise characterized in the text.
PARTIES	Mawule Tepe v. Derek W. Mullins, Justin M. Sveadas, Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., Truist Financial Corporation

TOPICS

interlocutory appeal

appellate procedure

standard of review

injunctions

civil procedure

PRACTICE AREAS

civil procedure

appellate procedure

judicial recusal

QUESTIONS PRESENTED

1. Whether the trial judge erred by denying Tepe's motions for recusal.
2. Whether the trial court violated Tennessee Supreme Court Rule 10B, section 1.02, by entering a pre-filing screening order and pre-filing injunction while a recusal motion was pending without stating good cause in the orders.
3. Whether the appeal was frivolous so as to warrant an award of appellate attorney's fees under Tennessee Code Annotated section 27-1-122.

HOLDINGS

1. The mere filing of a complaint against a judge does not require recusal. Tepe failed to present evidence that would cause a reasonable, disinterested person to question the trial judge's impartiality.
2. Tepe did not establish a basis for recusal based on the trial judge's refusal to provide requested documents or on alleged discrimination based on race or pro se status.
3. Adverse, numerous, or allegedly erroneous rulings do not, without more, establish bias or require recusal, and Rule 10B does not require a trial judge to rule on a recusal motion within thirty days.
4. While a recusal motion is pending, the trial judge may not take further action in the case except for good cause stated in the order authorizing that action. Because the November 19, 2025 orders did not state good cause, those orders had to be vacated.
5. Appellate attorney's fees were denied because, although most of the appeal lacked merit, Tepe prevailed on the issue concerning the timing of the pre-filing orders and was not entirely unsuccessful.

KEY QUOTATIONS

“While a recusal motion is pending, “the judge whose disqualification is sought shall make no further orders and take no further action on the case, except for good cause stated in the order in which such action is taken.”” (7)

“The plain language of section 1.02 requires that the good cause finding be made “in the order in which such action is taken[;]” therefore, it is not sufficient that the trial court later found good cause to have entered the November 19 order when such good cause finding was not stated in the November 19 order itself.” (7)

FACTUAL BACKGROUND

Tepe sought recusal of Judge J. Michael Sharp based on the judge's status as a defendant in a lawsuit filed by Tepe, the judge's alleged failure to provide official documents, alleged discrimination based on Tepe's race and pro se status, and the judge's adverse rulings and other conduct. While the first recusal motion was pending, the trial court entered a pre-filing screening mechanism and a pre-filing injunction. The trial court later denied the

recusal motions, stating that the judge had not been personally served in Tepe's lawsuit and had no personal bias against Tepe.

PROCEDURAL HISTORY

Tepe filed an initial recusal motion on November 6, 2025, followed by a supplemental recusal motion on November 20, 2025. The trial court denied both motions on December 10, 2025, but had entered a pre-filing screening order and pre-filing injunction on November 19, 2025, while the first recusal motion remained pending. The Court of Appeals affirmed the denial of recusal, vacated the November 19 orders because the trial court acted before ruling on recusal and did not state good cause in those orders, declined to award appellate attorney's fees, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The trial court's order denying the recusal motions is affirmed in all other respects. The November 19, 2025 order granting the pre-filing screening mechanism in docket numbers V-23-330 and V-25-048 and the November 19, 2025 pre-filing injunction in docket number V-24-660 are vacated. The case is remanded, and appellate costs are taxed to Tepe.

CASES CITED

- Neamtu v. Neamtu, No. M2019-00409-COA-T10B-CV, 2019 WL 2849432 (Tenn. Ct. App. July 2, 2019)
- Williams by & through Rezba v. HealthSouth Rehab. Hosp. N., No. W2015-00639-COA-T10B-CV, 2015 WL 2258172 (Tenn. Ct. App. May 8, 2015)
- Duke v. Duke, 398 S.W.3d 665, 671 (Tenn. Ct. App. 2012)
- Eldridge v. Eldridge, 137 S.W.3d 1, 7-8 (Tenn. 2002)
- In re A.J., No. M2014-02287-COA-R3-JV, 2015 WL 6438671, at *6 (Tenn. Ct. App. Oct. 22, 2015), perm. app. denied (Tenn. Feb. 18, 2016)
- Bean v. Bailey, 280 S.W.3d 798, 803 (Tenn. 2009)
- In re Samuel P., No. W2016-01592-COA-T10B-CV, 2016 WL 4547543, at *2 (Tenn. Ct. App. Aug. 31, 2016)
- Rose v. Cookeville Reg'l Med. Ctr., No. M2007-02368-COA-R3-CV, 2008 WL 2078056, at *2 (Tenn. Ct. App. May 14, 2008)
- Mass v. McClenahan, No. 93 Civ. 3290 (JSM), 1995 WL 106106, at *1 (S.D.N.Y. Mar. 9, 1995)
- Adams v. Dunavant, 674 S.W.3d 871, 879 (Tenn. 2023)
- Raccoon Mtn. Caverns and Campground, LLC v. Nelson, No. E2022-00989-COA-T10B-CV, 2022 WL 3100606, at *3 (Tenn. Ct. App. Aug. 4, 2022)
- In re United States, 666 F.2d 690, 695 (1st Cir. 1981)
- Kinard v. Kinard, 986 S.W.2d 220, 228-229 (Tenn. Ct. App. 1998)

- Kelly M. v. Agness M., No. E2024-00629-COA-T10B-CV, 2024 WL 2564454, at *5 (Tenn. Ct. App. May 23, 2024)
- Denney ex rel. Doghouse Computs., Inc. v. Rather, No. M2022-01743-COA-T10B-CV, 2023 WL 316012, at *4 (Tenn. Ct. App. Jan. 19, 2023)
- Dover v. Dover, No. E2024-01523-COA-T10B-CV, 2024 WL 4692297, at *10 (Tenn. Ct. App. Nov. 6, 2024)
- Salas v. Rosdeutscher, No. M2021-00157-COA-R3-CV, 2021 WL 830009, at *3 (Tenn. Ct. App. Mar. 4, 2021)
- State v. Cannon, 254 S.W.3d 287, 308 (Tenn. 2008)
- Alley v. State, 882 S.W.2d 810, 821 (Tenn. Crim. App. 1994)
- Davis v. Liberty Mut. Ins. Co., 38 S.W.3d 560, 565 (Tenn. 2001)
- Hastings v. Hastings, No. W2020-01225-COA-R3-JV, 2024 WL 1480373, at *7 (Tenn. Ct. App. Apr. 5, 2024)
- In re Destiny C., No. M2021-00533-COA-R3-PT, 2022 WL 2287022, at *10 (Tenn. Ct. App. June 24, 2022)
- Williams v. City of Burns, 465 S.W.3d 96, 119 (Tenn. 2015)
- Tepe v. Blair, No. E2025-00552-COA-T10B-CV, 2025 WL 1380788 (Tenn. Ct. App. May 13, 2025)
- Combustion Eng'g, Inc. v. Kennedy, 562 S.W.2d 202, 205 (Tenn. 1978)
- Davis v. Gulf Ins. Grp., 546 S.W.2d 583, 586 (Tenn. 1977)
- Chiozza v. Chiozza, 315 S.W.3d 482, 493 (Tenn. Ct. App. 2010)
- Whalum v. Marshall, 224 S.W.3d 169, 180-181 (Tenn. Ct. App. 2006)