UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE

Randel Edward Page, Jr. v. Apperson Crump, PLC, and United States Trustee, Region 8

Page v. Apperson Crump · No. 1:26-cv-01037-JDB-jay · Decided March 30, 2026

SUMMARY

The United States District Court for the Western District of Tennessee denies Randel Edward Page, Jr.’s objection and appeal concerning a magistrate judge’s extension of the briefing deadline. The court also denies motions for recusal and disqualification of opposing counsel and denies as moot a motion to stay the briefing schedule, while warning Page that sanctions may result from submitting nonexistent or misrepresentative case citations.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee
WRITING FOR THE COURT	J. Daniel Breen
JURISDICTION	United States District Court for the Western District of Tennessee
DECIDED	March 30, 2026
DOCKET	1:26-cv-01037-JDB-jay
DISPOSITION	other
PROCEDURAL POSTURE	Appellant appealed from the United States Bankruptcy Court for the Western District of Tennessee under 28 U.S.C. § 158 and objected to a magistrate judge's order granting an extension of time to file an appellate brief. The district court also considered motions for recusal, disqualification of opposing counsel, and a stay of the briefing schedule.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(a), 28 U.S.C. § 636(b)(1)(A), and Local Rule 72.1(g)(1), a district judge reviews a magistrate judge's order resolving a non-dispositive, pretrial matter to determine whether it is clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	unknown
PARTIES	Randel Edward Page, Jr. v. Apperson Crump, PLC, United States Trustee, Region 8

TOPICS

appellate procedure | standard of review | civil procedure | bankruptcy | sanctions

PRACTICE AREAS

civil procedure | appellate procedure | bankruptcy | judicial disqualification | attorney disqualification | sanctions

QUESTIONS PRESENTED

1. Whether the magistrate judge had authority under 28 U.S.C. § 636(b)(1) and Local Rule 72.1 to grant an extension of time as a non-dispositive, pretrial matter without the parties' consent.
2. Whether Page's recusal challenge required the magistrate judge to halt proceedings under 28 U.S.C. § 144.
3. Whether participation by the magistrate judge, opposing counsel, and the clerk in the same bar association, together with the alleged proposed order, established personal bias requiring recusal.
4. Whether the district judge's referral was merely administrative and therefore insufficient to confer authority on the magistrate judge.
5. Whether opposing counsel should be disqualified under the Sixth Circuit's attorney-disqualification test or Tennessee Rule of Professional Conduct 1.7.
6. Whether Page's motion to stay the briefing schedule should be granted pending resolution of the recusal and disqualification motions.

HOLDINGS

1. A district judge reviews a magistrate judge's order resolving a non-dispositive, pretrial matter for clear error or whether it is contrary to law.
2. A legally insufficient recusal affidavit does not require referral to another judge or halt proceedings; the challenged magistrate judge may continue to act.
3. A judge's participation in a bar association with opposing counsel and court personnel, without evidence of personal bias, does not establish a conflict requiring recusal.
4. A district judge may refer non-dispositive, pretrial matters to a magistrate judge under 28 U.S.C. § 636(b)(1) and applicable local rules without requiring party consent.
5. Page could not obtain disqualification of opposing counsel because he did not show a past attorney-client relationship with the attorney, and he presented no concurrent conflict of interest under Tennessee Rule of Professional Conduct 1.7.
6. The motion to stay the briefing schedule was denied as moot after the court denied the motions for recusal and disqualification on which the requested stay depended.

KEY QUOTATIONS

> *“the presiding district judge’s review is limited to whether the order is “clearly erroneous” or “contrary to law.””* (Section I.A)

> *“Because the affidavit was legally insufficient under § 144, there was no need for referral of the matter to another judge.”* (Section I.B.1)

> *“Appellant need not consent for a district judge to refer pretrial matters to the magistrate judge.”* (Section I.B.4)

> *“Motions to disqualify are viewed with disfavor and disqualification is considered a drastic measure which courts should hesitate to impose except when absolutely necessary.”* (Section III)

FACTUAL BACKGROUND

The district court referred Page's bankruptcy appeal to Magistrate Judge Jon A. York for all matters, including a report and recommendation. Judge York granted Page's request for an extension of time to file an appellate brief, while declining to resolve other requested relief. Page challenged the magistrate judge's authority based on an allegedly deficient recusal request, relationships among the magistrate judge, opposing counsel, and the clerk, the district judge's referral order, and the absence of consent to magistrate-j judge jurisdiction. Page also sought disqualification of opposing counsel and a stay of briefing.

PROCEDURAL HISTORY

Page filed a bankruptcy appeal in the district court on February 25, 2026. The district judge referred the matter to Magistrate Judge Jon A. York for all matters, including a report and recommendation. Judge York granted Page an extension of time to file a brief, and Page objected, arguing that the magistrate judge lacked authority because of pending recusal issues, alleged organizational conflicts, the nature of the referral, and lack of consent. The district court denied the objection and appeal, denied the recusal and counsel-disqualification motions, and denied the stay motion as moot.

DISPOSITION

other

CASES CITED

- Henderson v. Department of Public Safety and Corrections, 901 F.2d 1288, 1296 (6th Cir. 1990)
- Parrish v. Board of Commissioners of Alabama State Bar, 524 F.2d 98, 100 (5th Cir. 1975)
- LeVay v. Morken, 590 F. Supp. 3d 1037, 1042 (E.D. Mich. 2022)
- Granada v. United States, 51 F.3d 82, 84 (7th Cir. 1995)
- United States v. Story, 716 F.2d 1088, 1091 (6th Cir. 1983)
- Taylor Acquisitions, L.L.C. v. City of Taylor, 313 F. App'x 826, 838 (6th Cir. 2009)
- Ullmo ex rel. Ullmo v. Gilmour Academy, 273 F.3d 671, 681 (6th Cir. 2001)
- Gentry v. Tennessee Board of Judicial Conduct, No. 3:17-0020, 2017 WL 6521333, at *2 (M.D. Tenn. Sept. 18, 2017)

- Lawrence v. Chabot, 182 F. App'x 442, 449 (6th Cir. 2006)
- Moran v. Clarke, 213 F. Supp. 2d 1067, 1073 (E.D. Mo. 2002)
- PNC Equipment Finance v. Mariani, 758 F. App'x 384, 391 (6th Cir. 2018)
- Scott v. Metropolitan Health Corp., 234 F. App'x 341, 352 (6th Cir. 2007)
- Lilley v. BTM Corp., 958 F.2d 746, 753 (6th Cir. 1992)
- MJK Family LLC v. Corp. Eagle Management Services, Inc., 676 F. Supp. 2d 584, 592 (E.D. Mich. 2009)
- Manning v. Waring, Cox, James, Sklar & Allen, 849 F.2d 222, 224 (6th Cir. 1988)
- Wyndham Vacation Ownership, Inc. v. Vacation Transfers Unlimited, LLC, No. 3:18-cv-01399, 2019 WL 13131176, at *3 (M.D. Tenn. Oct. 21, 2019)
- Budrow v. State Farm Fire and Casualty Co., No. 12-cv-2635-TMP, 2014 WL 12754936, at *2 (W.D. Tenn. Mar. 19, 2014)
- Dana Corp. v. Blue Cross & Blue Shield, 900 F.2d 882, 889 (6th Cir. 1990)
- Home Federal Bank of Tennessee v. Home Federal Bank Corp., No. 3:18-CV-379-JRG-DCP, 2020 WL 6038054, at *15 (E.D. Tenn. Mar. 19, 2020)
- Bowers v. Ophthalmology Group, 733 F.3d 647, 651 (6th Cir. 2013)
- Davis v. Marion County Superior Court Juvenile Detention Center, No. 1:24-cv-01918-JRS-MJD, 2025 WL 2502308, at *3 (S.D. Ind. Sept. 2, 2025)
- Safe Choice, LLC v. City of Cleveland, No. 1:24-cv-02033-PAB, 2025 WL 3029553, at *2 (N.D. Ohio Oct. 30, 2025)