

COURT OF APPEALS OF TENNESSEE AT JACKSON

Ewayna Mechelle Brown v. Bruce Edward Thomas

No. W2025-00934-COA-R3-CV · No. W2025-00934-COA-R3-CV · Decided February 12, 2026

SUMMARY

The Tennessee Court of Appeals affirmed a Shelby County Chancery Court judgment granting Bruce Edward Thomas a divorce on the ground of inappropriate marital conduct, dismissing Ewayna Mechelle Brown's complaint, and dividing the parties' property and debts. The court held that Brown waived her recusal challenge by failing to file a Tennessee Supreme Court Rule 10B motion, and it rejected her arguments concerning the divorce grounds, foreclosure-related property issues, debt allocation, default judgment, and pending motions. The court also affirmed the extension of an order of protection and remanded for further proceedings consistent with the opinion.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                     |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals of Tennessee at Jackson                                                                                                                                                                                                                                            |
| WRITING FOR THE COURT | Frank G. Clement Jr., C.J.; Thomas R. Frierson, II, J.; Carma Dennis McGee, J.                                                                                                                                                                                                      |
| JURISDICTION          | Tennessee Court of Appeals                                                                                                                                                                                                                                                          |
| DECIDED               | February 12, 2026                                                                                                                                                                                                                                                                   |
| DOCKET                | W2025-00934-COA-R3-CV                                                                                                                                                                                                                                                               |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                            |
| PROCEDURAL POSTURE    | Wife appealed as of right from a final judgment of absolute divorce entered by the Shelby County Chancery Court. The trial court denied Wife's complaint, granted Husband's counterpetition for divorce, divided the marital estate and debts, and extended an order of protection. |
| STANDARD OF REVIEW    | The court applied waiver principles to inadequately preserved or inadequately briefed issues and presumed that the omitted transcript or statement of the evidence would support the trial court's factual findings and judgment.                                                   |
| PRECEDENTIAL VALUE    | Published Tennessee Court of Appeals opinion                                                                                                                                                                                                                                        |
| PARTIES               | Ewayna Mechelle Brown v. Bruce Edward Thomas                                                                                                                                                                                                                                        |

TOPICS

divorce

family law procedure

default judgment

appellate procedure

due process

## PRACTICE AREAS

family law

appellate procedure

civil procedure

real estate

constitutional law

## QUESTIONS PRESENTED

1. Whether the chancellor's alleged biased statements and refusal to recuse deprived Wife of an impartial tribunal.
2. Whether the trial court erred by failing to address adultery and abandonment grounds alleged in Wife's complaint.
3. Whether the trial court erred in awarding Husband possession of a home titled to Wife and assigning marital debt to Wife.
4. Whether the trial court violated Wife's due process rights by entering default judgment and a final decree without hearing or ruling on pending motions.

## HOLDINGS

1. Wife waived her claim that the chancellor was biased because she did not file the required Tennessee Supreme Court Rule 10B motion for recusal supported by an affidavit and specific factual and legal grounds.
2. The trial court did not err by failing to separately address Wife's allegations of adultery and abandonment because it dismissed her complaint when it granted Husband's counterpetition for divorce.
3. The trial court did not award Husband a home because the property had been foreclosed before the divorce, and the debt allocation was not erroneous because each party was assigned debts in that party's name, with any deficiency on the former marital residence assigned to Wife.
4. The trial court did not violate Wife's due process rights by entering default judgment and proceeding to a final decree because Wife was properly served, failed to answer the counterclaim despite additional time, and failed to set several later-filed motions for hearing as required by the applicable chancery-court rule.

## KEY QUOTATIONS

““While entitled to fair and equal treatment before the courts, a pro se litigant is still required to comply with substantive and procedural law as do parties represented by counsel.”” (at -4)

““It is not the role of the courts, trial or appellate, to research or construct a litigant’s case or arguments for him or her, and where a party fails to develop an argument in support of his or her contention or merely constructs a skeletal argument, the issue is waived.”” (at -4)

## FACTUAL BACKGROUND

The parties married in January 2023, separated approximately two months later, and had no children. Their conflict resulted in competing protective-order petitions, and the chancery court found that Wife had committed domestic violence, stalking, and other inappropriate marital conduct. Wife did not answer Husband's counterclaim for divorce despite receiving additional time to do so, and the trial court entered default judgment and later granted Husband an absolute divorce. The trial court found that property purchased by Wife had been foreclosed upon and allocated each party's titled vehicle, personal property, debts, and retirement accounts largely according to ownership or individual responsibility.

## PROCEDURAL HISTORY

Wife filed a complaint for divorce in the Chancery Court for Shelby County, and Husband later filed an answer and counterclaim for divorce. After Wife failed to answer the counterclaim, the trial court granted Husband's renewed motion for default judgment and later conducted an uncontested final hearing. The court granted Husband a divorce, dismissed Wife's complaint, allocated property and debts, and extended the order of protection. The Court of Appeals affirmed, while remanding for further proceedings consistent with its opinion.

## DISPOSITION

affirmed

## REMAND INSTRUCTIONS

The matter is remanded to the trial court for further proceedings consistent with the opinion. Costs of appeal are taxed to Wife.

## CASES CITED

- Hessmer v. Hessmer, 138 S.W.3d 901, 903 (Tenn. Ct. App. 2003)
- Hawkins v. Hart, 86 S.W.3d 522, 531 (Tenn. Ct. App. 2001)
- Sneed v. Bd. of Pro. Resp. of Supreme Ct., 301 S.W.3d 603, 615 (Tenn. 2010)
- Ranter v. Solomon, No. E2025-00049-COA-T10B-CV, 2025 WL 326386, at \*1 (Tenn. Ct. App. Jan. 29, 2025)
- In re Samuel P., No. W2016-01592-COA-T10B-CV, 2016 WL 4547543, at \*2 (Tenn. Ct. App. Aug. 31, 2016)
- Duke v. Duke, 398 S.W.3d 665, 671 (Tenn. Ct. App. 2012)
- Fayne v. Vincent, 301 S.W.3d 162, 169-170 (Tenn. 2010)
- Case v. Shelby County Civil Service Merit Board, 98 S.W.3d 167, 175 (Tenn. Ct. App. 2002)