

COURT OF CRIMINAL APPEALS OF TENNESSEE

Eric Bledsoe v. Grady Perry, Warden

Bledsoe v. Perry, No. W2025-00838-CCA-R3-HC (Tenn. Crim. App. Feb. 25, 2026) · No. W2025-00838-CCA-R3-HC · Decided February 25, 2026

SUMMARY

The Tennessee Court of Criminal Appeals dismissed Eric Bledsoe’s appeal from the summary dismissal of his state habeas corpus petition. The court held that the notice of appeal was untimely and that the petitioner did not establish grounds for waiver under the interest-of-justice standard or satisfy the prison mailbox rule. The court also concluded that the aggravated rape indictment adequately identified the offense and applicable statute.

CASE DETAILS

COURT	Court of Criminal Appeals of Tennessee
WRITING FOR THE COURT	Kyle A. Hixson; Matthew J. Wilson; Steven W. Sword
JURISDICTION	Court of Criminal Appeals of Tennessee
DECIDED	February 25, 2026
DOCKET	W2025-00838-CCA-R3-HC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from the summary dismissal of a state habeas corpus petition. The State moved to dismiss the appeal because the notice of appeal was untimely; the petitioner argued that the prison mailbox rule or the interest-of-justice waiver excused the delay.
STANDARD OF REVIEW	The court reviewed the timeliness of the notice of appeal and whether the interest of justice warranted waiver of the thirty-day filing requirement. The petitioner bore the burden of establishing timely delivery under the prison mailbox rule.
PRECEDENTIAL VALUE	Published Tennessee Court of Criminal Appeals opinion
PARTIES	Eric Bledsoe v. Grady Perry, Warden, State of Tennessee

TOPICS

- appellate procedure
- state post-conviction relief
- habeas corpus
- criminal procedure
- preservation of error

PRACTICE AREAS

criminal appellate procedure

state habeas corpus

post-conviction relief

criminal procedure

QUESTIONS PRESENTED

1. Whether Bledsoe's notice of appeal was timely under Tennessee Rule of Appellate Procedure 4(a) and the prison mailbox rule in Rule 20(g).
2. Whether the interest of justice warranted waiver of the untimely notice-of-appeal requirement.
3. Whether the asserted defect in the aggravated-rape indictment presented a colorable basis for appellate relief.

HOLDINGS

1. The notice of appeal was untimely because it was filed on June 4, 2025, more than thirty days after the trial court entered its dismissal order on April 28, 2025.
2. Bledsoe failed to demonstrate that the prison mailbox rule deemed his notice of appeal timely.
3. The interest of justice did not warrant waiver of the timely notice-of-appeal requirement.
4. Bledsoe's contention that the indictment failed to cite the relevant aggravated-rape statute was incorrect.

KEY QUOTATIONS

“However, “in all criminal cases the ‘notice of appeal’ document is not jurisdictional,” and this court may waive the timely filing requirement when the interest of justice mandates such.” (at 3)

“The prison mailbox rule permits documents filed by an incarcerated pro se litigant to be deemed timely “if the papers were delivered to the appropriate individual at the correctional facility within the time fixed for filing.”” (at 4)

“If this court were to summarily grant a waiver whenever confronted with untimely notices, the thirty-day requirement of Tennessee Rule of Appellate Procedure 4(a) would be rendered a legal fiction.” (at 5)

FACTUAL BACKGROUND

Bledsoe was convicted of aggravated rape, aggravated burglary, and theft and received an effective sixty-five-year sentence. He later filed a state habeas corpus petition alleging that the aggravated-rape indictment failed to provide constitutionally adequate notice. The trial court dismissed the petition, and the appellate clerk filed Bledsoe's notice of appeal thirty-seven days after entry of the dismissal order. Bledsoe asserted that he had thirty days from receiving the order, but the record did not establish timely delivery of the notice to an appropriate correctional-facility official under the prison mailbox rule.

PROCEDURAL HISTORY

Bledsoe filed a state habeas corpus petition challenging the sufficiency of the indictment for aggravated rape. The Shelby County Criminal Court summarily dismissed the petition on April 28, 2025. Bledsoe's notice of appeal was filed on June 4, 2025, thirty-seven days after entry of the dismissal order and seven days late under

the ordinary thirty-day deadline. The Tennessee Court of Criminal Appeals declined to waive the filing requirement and dismissed the appeal.

DISPOSITION

dismissed

CASES CITED

- State v. Bledsoe, No. W2012-01643-CCA-R3-CD, 2013 WL 3968780, at *1, *6-8 (Tenn. Crim. App. July 31, 2013), perm. app. denied (Tenn. Nov. 14, 2013)
- Bledsoe v. State, No. W2016-00419-CCA-R3-PC, 2017 WL 1380022, at *1 (Tenn. Crim. App. Apr. 13, 2017), perm. app. denied (Tenn. Aug. 18, 2017)
- Bledsoe v. State, No. W2017-01399-CCA-R3-PC, 2018 WL 1989612, at *1-2 (Tenn. Crim. App. Apr. 25, 2018), perm. app. denied (Tenn. Aug. 13, 2018)
- State v. Bledsoe, No. W2023-00730-CCA-R3-CD, 2024 WL 322117, at *1 (Tenn. Crim. App. Jan. 29, 2024), perm. app. denied (Tenn. June 21, 2024)
- Bledsoe v. Lindamood, No. 17-cv-02390-tmp, 2020 WL 7327325 (W.D. Tenn. Dec. 11, 2020)
- Bledsoe v. Frink, No. 22-5337, 2022 WL 14149740 (6th Cir. July 29, 2022)
- State v. Manning, No. E2022-01715-CCA-R3-CD, 2023 WL 7439203, at *3 (Tenn. Crim. App. Nov. 9, 2023), perm. app. denied (Tenn. May 16, 2024)
- State v. Lock, 839 S.W.2d 436, 440 (Tenn. Crim. App. 1992)
- State v. Rockwell, 280 S.W.3d 212, 214 (Tenn. Crim. App. 2008)
- State v. Nance, No. E2024-01113-CCA-R3-CD, 2025 WL 354636, at *3 (Tenn. Crim. App. Jan. 31, 2025), perm. app. denied (Tenn. May 23, 2025)
- State v. Kroese, No. M2024-01166-CCA-R3-CD, 2025 WL 1091841, at *2 (Tenn. Crim. App. Apr. 9, 2025)

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