

COURT OF CRIMINAL APPEALS OF TENNESSEE

Gregory Ryan Webb v. State of Tennessee

No. E2026-00261-CCA-R10-PC · No. E2026-00261-CCA-R10-PC · Decided February 26, 2026

SUMMARY

The Tennessee Court of Criminal Appeals denied Gregory Ryan Webb’s pleading seeking appointment of counsel, which the court construed alternatively as an application for an extraordinary appeal under Tennessee Rule of Appellate Procedure 10. The court held that the pleading failed to satisfy Rule 10’s requirements and that, as a direct motion for appointment of counsel, it was inapt and moot.

CASE DETAILS

COURT	Court of Criminal Appeals of Tennessee
WRITING FOR THE COURT	Judge Robert H. Montgomery, Jr.; Judge Kyle A. Hixson; Judge Steven W. Sword
JURISDICTION	Tennessee Court of Criminal Appeals
DECIDED	February 26, 2026
DOCKET	E2026-00261-CCA-R10-PC
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Webb filed a motion for appointment of counsel, which the appellate clerk construed as an application for an extraordinary appeal under Tennessee Rule of Appellate Procedure 10. The Court of Criminal Appeals denied relief because the pleading did not satisfy Rule 10's requirements and did not show grounds for extraordinary review.
STANDARD OF REVIEW	An extraordinary appeal under Tennessee Rule of Appellate Procedure 10 is available only in the appellate court's discretion and upon the showing specified in Rule 10(a), with compliance with the pleading and record-submission requirements of Rule 10(c).
PRECEDENTIAL VALUE	Published Tennessee Court of Criminal Appeals order; no reporter citation appears in the source text.
PARTIES	Gregory Ryan Webb v. State of Tennessee

TOPICS

- appellate procedure
- interlocutory appeal
- post-conviction relief
- mootness
- criminal procedure

PRACTICE AREAS

appellate procedure

post-conviction relief

criminal procedure

QUESTIONS PRESENTED

1. Whether Webb's pleading, construed as an application for an extraordinary appeal under Tennessee Rule of Appellate Procedure 10, satisfied the rule's pleading and record-submission requirements.
2. Whether the trial court's preliminary order appointing counsel for post-conviction litigation constituted an extraordinary departure from the accepted and usual course of judicial proceedings warranting immediate appellate review.
3. Whether Webb's direct motion for appointment of counsel in the appellate court was properly before the court and remained justiciable.

HOLDINGS

1. A Rule 10 extraordinary-appeal application must provide sufficient information about the proceedings and include the orders, opinions, or record portions necessary for the appellate court to determine whether extraordinary review is warranted. Webb's pleading was insufficient because it identified neither the relevant pending proceedings nor the required supporting record materials.
2. Extraordinary review was not warranted because the trial court's preliminary order determining indigency and appointing counsel for post-conviction proceedings did not represent a departure from the accepted and usual course of judicial proceedings requiring immediate review.
3. Construed as a motion for appointment of counsel filed directly in the appellate court, Webb's pleading was inapt and moot.

KEY QUOTATIONS

“An extraordinary appeal may be sought from an interlocutory order pursuant to Rule 10 of the Rules of Appellate Procedure “on application and in the discretion of the appellate court alone . . . (1) if the lower court has so far departed from the accepted and usual course of judicial proceedings as to require immediate review, or (2) if necessary for complete determination of the action on appeal as otherwise provided in these rules.”” (1)

“Accordingly, we conclude that the Petitioner’s pleading—if construed as an application for extraordinary appeal—is insufficient for this court’s determination and is, therefore, DENIED.” (2)

FACTUAL BACKGROUND

Webb sought appointment of counsel, asserting that he lacked the financial means to retain private counsel and requesting counsel unaffected by alleged political influence or interference. His pleading did not identify the nature of any pending state trial-court proceeding requiring appointment of counsel and did not attach the orders or record materials required for extraordinary review. The trial court had issued a preliminary order finding him indigent and appointing counsel for post-conviction litigation, but that order did not demonstrate an extraordinary departure from ordinary judicial proceedings.

PROCEDURAL HISTORY

Webb was convicted of domestic assault and sentenced to eleven months and twenty-nine days in county jail at seventy-five percent service. The Court of Criminal Appeals affirmed his conviction on direct appeal, and the Tennessee Supreme Court denied permission to appeal. Webb did not file a state post-conviction petition following direct review; a trial court preliminary order later determined him indigent and appointed counsel for post-conviction litigation. The present pleading sought appointment of counsel or extraordinary appellate review.

DISPOSITION

writ_denied

CASES CITED

- State v. Webb, No. E2023-00464-CCA-R3-CD, 2023 WL 8233126 (Tenn. Crim. App. Nov. 28, 2023), perm. app. denied (Tenn. Feb. 13, 2024)
- Webb v. State of Tennessee, No. 2:24-cv-00040, 2024 WL 3870294, at *1 (M.D. Tenn. Aug. 19, 2024)