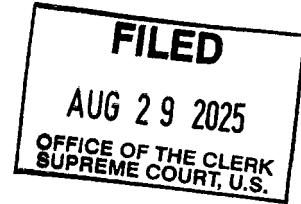


No. E2025-00911-SC-R10-G1

25-5754 ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



BIOBEE GEORGEWILL PETITIONER
(Your Name)

vs.
Joshua M. Ball ET AL — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF TENNESSEE AT KNOXVILLE
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

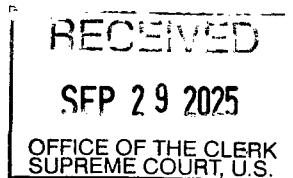
PETITION FOR WRIT OF CERTIORARI

BIOBEE GEORGEWILL
(Your Name)

4003 LARA LANE #B
(Address)

CHATTANOOGA, TN 37416
(City, State, Zip Code)

4235615480
(Phone Number)



IN THE SUPREME COURT OF THE UNITED STATES

BIOBELE GEORGEWILL, Petitioner
v.
JOSHUA M. BALL, ET AL., Respondents

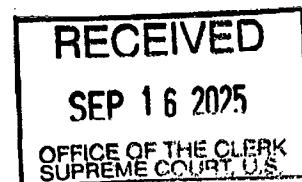
Case No.: E2025-00911-COA-UNK-CV

Date: September 4, 2025

Petition for Writ of Certiorari

QUESTIONS PRESENTED

- I. This case presents a substantial federal due process question.
The Fourteenth Amendment requires an impartial tribunal. A judge who maintained a 14-year professional partnership with a law firm that is now a defendant creates, at minimum, an appearance of bias sufficient to undermine confidence in the proceedings. See *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).
- II. The decision below misapplies the federal constitutional standard for recusal.
The Tennessee courts dismissed the recusal request as "speculation," contrary to this Court's ordinary-person perception test. *Caperton* makes clear that due process is violated where the probability of bias is too high to be constitutionally tolerable.
- III. Lower courts are divided and uncertain on the treatment of historical professional relationships.
Some courts treat longstanding professional ties as disqualifying, while others dismiss them as remote. This lack of uniformity invites inconsistent protection of litigants' due process rights across the states.
- IV. The refusal to acknowledge the affidavit compounds the constitutional violation.
The state courts incorrectly stated that no affidavit was filed, disregarding a sworn filing in the record. This denial of record consideration itself violates procedural due process.
- V. This case presents a recurring and nationally significant problem.
Judges frequently have longstanding ties with law firms or parties that later appear before them. Without clarification from this Court, litigants across the country face uncertainty and unequal protection of their constitutional right to an impartial tribunal.



OPINIONS BELOW

Tennessee Court of Appeals: Denied the initial and supplemental motions to recuse.

Tennessee Supreme Court: Denied the petition for review of the Court of Appeals' denial (No. E2025-00911-SC-R10-CV, filed August 29, 2025).

Copies of the Tennessee Supreme Court and Court of Appeals orders are included in the Appendix.

JURISDICTION

Jurisdiction is invoked under 28 U.S.C. § 1257(a). This petition presents a federal constitutional question under the Fourteenth Amendment, specifically regarding due process arising from the denial of recusal of a Tennessee Court of Appeals judge. The order sought to be reviewed was entered on August 29, 2025, in Tennessee Supreme Court Case No. E2025-00911-SC-R10-CV.

CONSTITUTIONAL AND LEGAL PROVISIONS INVOLVED

U.S. Const. amend. XIV, § 1: "No State shall... deprive any person of life, liberty, or property, without due process of law."

Federal precedent recognizes that due process requires an impartial tribunal, and that the appearance of bias can violate the right to a fair trial (see *Tumey v. Ohio*, 273 U.S. 510 (1927); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009)).

STATEMENT OF THE CASE

Petitioner filed a motion to recuse Judge Kristi M. Davis, a judge on the Tennessee Court of Appeals, based on her 14-year professional partnership with the law firm Hodges, Doughty & Carson PLLC, which is a current defendant in this case.

The motion was filed with a sworn affidavit, affirming that it was not filed for harassment or to cause unnecessary delay.

The state courts claimed that no affidavit was submitted, which is factually incorrect, and also cited procedural deficiencies. The omission of the phrase "needless increase in the cost of litigation" is a minor technicality that does not undermine the constitutional basis for the recusal request.

Despite this, the motion was denied at multiple levels:

Court of Appeals: Denied initial and supplemental recusal motions.

Tennessee Supreme Court: Denied review.

The underlying appeal in the Tennessee Court of Appeals remains pending, but the repeated refusals to recuse a judge with longstanding ties to a defendant raises fundamental federal constitutional questions regarding due process and access to the courts.

REASONS FOR GRANTING THE PETITION

1. A substantial federal question of due process is presented

Longstanding professional relationships with parties that have a current financial stake create a reasonable perception of bias, sufficient to trigger due process protections.

The state courts dismissed this argument as “speculation,” despite the objective fact of a 14-year partnership and the firm being a defendant in the case.

2. This is a rare and important issue requiring clarification by this Court

The question of whether historical professional ties, even a decade old, can create a constitutionally significant perception of bias has not been definitively addressed at the federal level.

Clarifying the standard is essential to protect litigants’ rights to fair hearings and to set a uniform federal due process standard applicable to state courts.

3. Repeated refusal to recuse constitutes a systemic due process violation

By repeatedly denying recusal motions, the judge has created a scenario where the petitioner’s right to a fair trial and access to an impartial tribunal is fundamentally compromised.

Denial of recusal before the case is heard on the merits is particularly prejudicial, as it threatens to taint all subsequent appellate proceedings.

4. The omission of “needless cost” in the affidavit does not negate the constitutional question

The affidavit submitted complied with the state rule in all essential respects.

The state court’s reliance on this minor omission cannot override the serious federal constitutional issue presented.

5. The stakes are high, and the issue is of national importance

The outcome could affect all cases in which judges have longstanding relationships with parties, potentially creating a nationwide need for clarification of the constitutional standard regarding perception of bias and recusal.

PRAYER FOR RELIEF

Petitioner respectfully requests that this Court:

1. Grant the petition for a writ of certiorari.
2. Address whether a judge's longstanding professional relationship with a defendant creates a constitutionally sufficient perception of bias to require recusal.
3. Clarify the constitutional standard for recusal in state court cases when the judge's impartiality is reasonably questioned due to historical but substantial ties with a party.
4. Grant any other relief deemed just and proper.

Respectfully submitted,



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Appendix

1. Tennessee Court of Appeals orders denying recusal motions
2. Tennessee Supreme Court order denying review
3. Motion to Recuse
4. Supplemental Motion to Recuse (with sworn affidavit)