

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

STANDARD INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	2:18-CV-00074-DCLC-CRW
	)	
vs.	)	
	)	
JOEL MICHAEL GUY, JR., et al.	)	
	)	
Defendants.	)	

ORDER

On September 27, 2018, the Court stayed this matter pending resolution of the criminal charges against Defendant Joel Michael Guy, Jr. (“Guy”) [Doc. 40]. On October 15, 2020, Defendants Crystal Michelle Dennison a/k/a Crystal Michelle Tyler and Angela Crain filed a status report informing the Court that Guy “was convicted by a jury of his peers on October 2, 2020, of murdering the insureds, his parents, Joel Michael Guy and Lisa Guy” and was sentenced to serve five life sentences for such murders [Doc. 65]. As a result of Guy’s conviction, the Court lifted the stay and entered a Scheduling Order on October 22, 2020 [Doc. 66].

On November 6, 2020, Guy filed a *pro se* Motion for Relief from Order Lifting Stay [Doc. 67] in which he requests reinstatement of the stay pending the anticipated appeal of his criminal conviction. The remaining Defendants oppose Guy’s request [Docs. 68, 69] and assert that Tennessee’s slayer statute, Tenn. Code. Ann. § 31-1-106, does not require exhaustion of appellate remedies before a judgment of conviction is given effect under the statute [Doc. 68, pg. 2].¹

¹ Tennessee’s slayer statute provides that “[a]n individual who feloniously and intentionally kills the decedent forfeits all benefits with respect to the decedent’s estate....” Tenn. Code Ann. § 31-1-106(b). The statute further provides that “[a] judgment of conviction establishing criminal accountability for the felonious and intentional killing of the decedent is conclusive evidence that the individual is the decedent’s killer for purposes of this section.” Tenn. Code Ann. § 31-1-106(g).

Defendants further contend that even if the judgment of conviction cannot be used as conclusive evidence under the statute due to the possibility of appeal, they can still prove by a preponderance of the evidence that Guy murdered his parents [Doc. 68, pg. 4].

It is “well settled in [Tennessee] that the beneficiary of a life insurance policy who feloniously kills the insured will not be allowed to receive the policy proceeds.” *Brooks v. Thompson*, 521 S.W.2d 563, 565 (Tenn. 1975). Guy’s argument that this civil interpleader matter should be stayed pending appeal due to the belief that “the criminal conviction...will not withstand appellate scrutiny” is without merit. First, nothing in Tennessee’s slayer statute indicates that a judgment of conviction must be *final* to be conclusive evidence in a civil matter concerning the proper disposition of life insurance benefits. Even assuming Guy is successful in his criminal appeal, such an outcome will not have a preclusive effect on this civil matter. *See Jamison v. Metro. Life Ins. Co.*, 145 S.W.2d 553, 557 (Tenn. Ct. App. 1940) (holding that a judgment of acquittal in a criminal murder trial “is not res judicata in a civil case growing out of the same tragedy” because “[i]n the criminal case the jury must believe that [the defendant] was guilty of murder *beyond a reasonable doubt*, whereas in the civil case the *preponderance of evidence* rule prevails.”) (emphasis added).

Accordingly, the Court finds that Guy has not shown good cause as to why the stay of this matter should be reinstated pending appeal of his criminal conviction. Therefore, Guy’s motion [Doc. 67] is **DENIED**.

SO ORDERED:

s/ Clifton L. Corker
United States District Judge