



# Court Historical Society NEWSLETTER *Eastern District of Tennessee*



November 2021

## Knoxville's Other Tax Court Judge

By *Don K. Ferguson, Editor*

An article about the U.S. Tax Court appeared in the September issue of the Court Historical Society Newsletter. In that article, I wrote that the late Knoxville lawyer **Perry Shields** was the only Knoxville to ever sit as a judge on the U.S. Tax Court. I have since learned that this was wrong.



*Judge Greaves*

Following the appearance of that article, it was pointed out to me by **U.S. District Judge Charles E. Atchley** that a recently appointed member of the Tax Court, **Judge Travis Greaves**, formerly lived in Knoxville and received his undergraduate degree from UT.

Further, he often was in the Howard H. Baker Jr. U.S. Courthouse in his boyhood years when the building served as the headquarters of Whittle

Communications. Judge Greaves's father, **Randy Greaves**, was Chief Financial Officer of Whittle Communications during the mid-1990s, and the judge remembers coming to the building with his father.

In his high school and college years in the late 1990s and early 2000s, young Greaves worked for **Congressman John J. Duncan Jr.**, who had offices in the Baker building, and again he occasionally was in the building (although most of his work with the congressman was in his Maryville and Washington offices).

I interviewed Judge Greaves on November 9, and here is his story.

Judge Greaves lived in Knoxville for 11 years, from 1994 to 2005. He received his bachelor's degree from UT in 2005. He received his law degree from South Texas College of Law in his native state of Texas, and his masters of law degree in taxation from Georgetown University Law Center.

He practiced law in the District of Columbia and for a time served as Tax and Economic Policy Advisor for **Governor Bobby Jindal** of the state of Louisiana.

*continued on page 2*

## A Christmas Present for Moonshiners

Eighty-eight years ago next month, 36 defendants in moonshining cases in the Greeneville Division of the Eastern District of Tennessee received a Christmas present from the court – dismissal of the charges against them. But it had nothing to do with the evidence in their cases.

They had been indicted and were facing trial on charges of making illicit whiskey – a violation of the National Prohibition Act (the Volstead Act of 1919).

This act was repealed effective December 5, 1933, and **U.S. District Judge George C. Taylor** issued a dismissal order listing the names of the 36 defendants.

The order read:

It being made to appear from the Records of the Court that certain defendants in National Prohibition Act cases have been indicted or bound over prior to December 5, 1933, the effective date of the Repeal of the National Prohibition Act, and had not been convicted and/or sentenced prior to said date . . . It is therefore ordered that said defendants be discharged and the said cases be dismissed.

**Greeneville Division Manager Jason Keeton** found copies of the orders among old files recently and alertly passed them along to the Court Historical Society. It is very likely that similar orders were issued in other divisions of the court and in other courts in whose jurisdiction the distilling of illicit whiskey was a common practice.

\*\*\*

The days of illicit whiskey-making generated a number of colorful stories over the years. Here's one as told by the late **Ellen Taylor Manson** of Chattanooga, daughter of **U.S. District Judge George Taylor**, in an oral history conducted in 1993 by the Court Historical Society:

She said that although her father "liked a cocktail, he never took a drink during Prohibition. He said, 'I cannot send those poor dogs to prison and break the law, too.' And he never touched it until it was over," she added.

\*\*\*

Another story from those days, as reported in the book *Justice in the Valley* by **Dr. Patricia Brake**, published in 1998 under the auspices of the Court Historical Society.

*continued on page 2*

**Knoxville's Other Tax Court Judge** *continued from page 1*

Following his private practice, he was appointed Deputy Assistant Attorney General for Appellate and Review in the Justice Department's Tax Division, the post he held immediately prior to his appointment to the bench in March 2020.

Judge Greaves and his wife and their three children now live in Washington, D.C.

Read on for even more Knoxville connections for Judge Greaves. He and **Katherine Crytzer**, who would become a district judge in the Eastern District of Tennessee, had offices in the same building in Washington, where she was Principal Deputy Assistant Attorney General for the Office of Legal Policy in the Department of Justice. (Judge Crytzer, of course, is one of our two new district judges, appointed in December 2020). The two knew each other in their Washington days, but although in the same office building, they worked in different divisions.

Judge Greaves's Knoxville connections don't end here.

One of his law clerks, **Andrew Moore**, received his undergraduate and law degrees from UT, and in 2011 served in our court as an intern with **Magistrate Judges Guyton and Shirley** in Knoxville.

Judge Greaves's other law clerk, **Peyton Miller**, is a Knoxville native, a graduate of Webb School, and the son of Knoxville lawyer **Randy Miller**. Peyton received his undergraduate degree and law degree from Harvard.

We are pleased to make this correction and to recognize Judge Greaves's Knoxville connections, and we are grateful to Judge Atchley for bringing the matter to our attention.

\*\*\*

[EDITOR'S NOTE--Judge Greaves's parents still live in Knoxville and split their time between Knoxville and Texas, where the judge's two sisters reside. Before the family moved to Knoxville in 1994, Judge Greaves's mother served as a county judge in Ector County, Texas.]

\*\*\*

Other than Judge Greaves and Judge Shields, the only other Tennessean to serve as a Tax Court judge was **Benjamin Littleton** of Middle Tennessee, who served from 1924 to 1929.

**Don K. Ferguson, Editor**  
865-329-4693  
Don\_Ferguson@tned.uscourts.gov

**A Christmas Present . . .***continued from page 1*

Colorful **United States Marshal Jo Jo Ivens**, a reformed drinker, appointed [in May 1885] by [**President Grover Cleveland**], claimed: "I am exceedingly anxious to succeed where others have failed." Although Ivens led numerous successful raids into Rhea and Bledsoe counties, he began to drink moonshine himself; at one time he was drunk during an entire four-week court term. He resigned after nine months on the job.

**Federal Defender Services 30 Years Old**

Prior to the creation of the Federal Defender Services of East Tennessee in 1991, there was only a loosely structured method for appointing attorneys to represent indigent criminal defendants and to represent petitioners in capital habeas proceedings.

Today, the defender organization in the Eastern District of Tennessee, plus the private attorneys serving on the Criminal Justice Act Panel (court-approved attorneys who have agreed to represent indigent defendants), represent most of the hundreds of criminal defendants who pass through our court.

Defender organizations throughout the country were created as part of the Criminal Justice Act, which was established in 1970. To meet the requirement for having a defender organization, a district had to have at least 200 indigent defendants annually who needed appointment of counsel. The EDTN did not meet that threshold until 1991.

There are two types of defender organizations, those that are federal agencies (personnel are federal employees) and those that are community organizations, which are private outfits funded by federal grants. Ours in the EDTN is this type. The hourly fees for attorneys serving in both are established by the government.

When the EDTN reached the 200-defendant threshold, Knoxville attorney **Leah Prewitt**, who died last year, approached the judges of our court with her Federal Defender Services proposal, a private corporation. **Judge Thomas Gray Hull**, then the Chief Judge of the EDTN, preferred the private aspect over the federal agency type, and her organization was approved as the CJA defender service for the EDTN.

Today, the Federal Defender Services of East Tennessee has 50 employees in the three divisions in the district. **Beth Ford**, as chief of the organization, holds the title of "Community Defender." She said, "We are planning to hold a seminar and reception in April to celebrate the 30th anniversary of the implementation of the CJA Plan that established the hybrid community defender/panel system."