

FILED
09/08/2017
Clerk of the
Appellate Courts

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE
Assigned on Briefs July 3, 2017

**JON ROOZBEH VAZEEN AKA HASSAN VAZIN v. MICHELLE SMITH
VAZIN**

**Appeal from the Circuit Court for Davidson County
No. 14D2614 Phillip R. Robinson, Judge**

No. M2016-01133-COA-R3-CV

CHARLES D. SUSANO, JR., Judge, concurring in part and dissenting in part.

I concur with the majority’s observation that “[g]iven the deficiencies in Husband[’s] brief,” we do not have the “[a]bility to reach the substantive issues.” If we cannot reach the substantive issues — and I agree we cannot — I can only conclude that Husband’s appeal is “devoid of merit or . . . has no reasonable chance of success.” *Am. Gen. Fin. Servs., Inc. v. Goss et al.*, No E2010-01710-COA-R3-CV, 2011 WL 1326234 (Tenn. Ct. App., filed Apr. 7, 2011) (Susano, J., concurring in part and dissenting in part). Hence, by definition, this is a frivolous appeal. I would remand this case to the trial court for the purpose of holding a hearing to determine “just damages” pursuant to Tenn. Code Ann. § 27-1-122 (2000).

CHARLES D. SUSANO, JR., JUDGE