UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

James Patrick Sullivan

2. **Position**: State the position for which you have been nominated.

United States District Judge for the Western District of Texas

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Supreme Court of Texas
201 West 14th Street
Austin, Texas 78701

4. **Birthplace**: State year and place of birth.

1981; Houston, Texas

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

2003 – 2006, Harvard Law School; J.D. (*cum laude*), 2006

1999 – 2003, Rice University; B.A. (*cum laude*), 2003

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2025 – present
Supreme Court of Texas
201 West 14th Street
Austin, Texas 78701
Justice

2018 – 2025
Office of the Governor of Texas
1100 San Jacinto Boulevard, Fourth Floor
Austin, Texas 78701
General Counsel (2021 – 2025)
Deputy General Counsel (2018 – 2021)

2014 – 2018
King & Spalding LLP
500 West 2nd Street, Suite 1800
Austin, Texas 78701
Senior Associate (2016 – 2018)
Associate (2014 – 2016)

2009 – 2014
Office of the Attorney General of Texas
Office of the Solicitor General
209 West 14th Street, Seventh Floor
Austin, Texas 78701
Assistant Solicitor General

Spring 2009
Antonin Scalia Law School, George Mason University
3301 Fairfax Drive
Arlington, Virginia 22201
Adjunct Professor

2008 – 2009; 2006 – 2007; 2005
Covington & Burling LLP
One CityCenter, 850 Tenth Street, N.W.
Washington, District of Columbia 20001
Associate (2008 – 2009; 2006 – 2007)
Summer Associate (2005)

2007 – 2008
Judge Thomas B. Griffith
United States Court of Appeals for the District of Columbia Circuit
333 Constitution Avenue, N.W.
Washington, District of Columbia 20001
Law Clerk

Summer 2006
Harvard Law School
1585 Massachusetts Avenue
Cambridge, Massachusetts 02138
Harvard Summer Academic Fellow

Summer 2005
Susman Godfrey LLP
1000 Louisiana Street, Suite 5100
Houston, Texas 77002
Summer Associate

Summer 2004
Jenkens & Gilchrist, P.C.
[firm no longer in existence]
Summer Associate

Summer 2004
Baker Botts LLP
One Shell Plaza, 910 Louisiana Street
Houston, Texas 77002
Summer Associate

Other Affiliations (uncompensated)

2021 – 2025
Texas Access to Justice Commission
1414 Colorado Street
Austin, Texas 78701
Ex Officio Member

7. **Military Service and Draft Status**: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I did not serve in the military. I registered for the selective service upon turning 18.

8. **Honors and Awards**: List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

National Association of Attorneys General Best Brief Award (2013)

National Association of Attorneys General Best Brief Award (2012)

National Association of Attorneys General Best Brief Award (2011)

National Association of Attorneys General Best Brief Award (2010)

Harvard Summer Academic Fellowship (2006)

Degree from Harvard Law School conferred *cum laude* (2006)

Harvard Law Review, Articles Editor (2004 – 2006)

John M. Olin Fellowship in Law and Economics (2004 – 2006)

Degree from Rice University conferred *cum laude* (2003)

Cuthbertson Service Award, Will Rice College (2003)

Tsanoff Junior Prize, Will Rice College (2002)

Parliamentary Debater, George R. Brown Forensics Society (2001 – 2003)

Eagle Scout, Boy Scouts of America (1996)

9. **Bar Associations**: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Texas Board of Disciplinary Appeals, Oversight Liaison (2025 – Present)

Commission for Lawyer Discipline, Oversight Liaison (2025 – Present)

Professional Ethics Committee, Oversight Liaison (2025 – Present)

Unauthorized Practice of Law Committee, Oversight Liaison (2025 – Present)

Committee on Disciplinary Rules and Referenda, Oversight Liaison (2025 – Present)

Grievance Oversight Committee (2025)

Texas Access to Justice Commission, *Ex Officio* Member (2021 – 2025)

Advisory Committee on Procedures, U.S. Court of Appeals for the D.C. Circuit (2015 – 2022)

Business Law Section of the State Bar of Texas, Council & Judicial CLE Chair (2015 – 2025)

Civil Appellate Law Section of the Austin Bar Association (2017 – 2025)

Austin Bar Foundation (2017 – present)

10. **Bar and Court Admission**:

a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Texas, 2009
District of Columbia, 2007

My District of Columbia Bar membership was administratively suspended on September 1, 2026, after I became a Texas Supreme Court Justice and was no longer practicing law outside of Texas, and was reinstated upon payment of the requisite fees on October 27, 2026. There have been no other lapses in membership.

b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Supreme Court of the United States, 2010
United States Court of Appeals for the D.C. Circuit, 2008
United States Court of Appeals for the Federal Circuit, 2008
United States Court of Appeals for the Second Circuit, 2014
United States Court of Appeals for the Third Circuit, 2012
United States Court of Appeals for the Fifth Circuit, 2009
United States Court of Appeals for the Sixth Circuit, 2021
United States District Court for the District of Columbia, 2017
United States District Court for the Eastern District of Texas, 2015
United States District Court for the Northern District of Texas, 2015
United States District Court for the Southern District of Texas, 2015
United States District Court for the Western District of Texas, 2011
Supreme Court of Texas, 2009

My membership in the Fifth Circuit Bar became inactive in September 2024. My membership in the Southern District of Texas Bar expired in April 2025. There have been no other lapses in membership.

11. **Memberships**:

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Arena Hall (2026 – present)

Federalist Society for Law and Public Policy Studies (2018 – present)

Journal of Law & Civil Governance at Texas A&M, Advisory Board (2026 – present)

Teneo (2024 – present)
Austin Chapter Chair (2026 – present)

b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion, or natural origin, either through formal membership requirements or the practical implementation of membership policies.

12. **Published Writings and Public Statements**:

a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply copies of all published material to the Committee.

To my recollection and through a review of my records and publicly available databases, I have found the following works that I authored or co-authored:

In support of my election campaign for the Texas Supreme Court, I maintain the website judgesully.com. I also prepared campaign ads available here:

https://www.youtube.com/watch?v=7G4SK2coSPo&list=WL&index=2.

https://www.youtube.com/watch?v=pmIqz8rVxGY&list=WL&index=1.

With Hon. Evan A. Young, *The Purpose and Promise of the Texas Business Court*, 64 Houston Lawyer 14 (2026). Copy supplied.

Texas and the Supreme Court: OT 2017, 23 Tex. R.L. & Pol. 351 (Winter 2018–2019). Copy supplied.

The Duty to Notify the Attorney General of Constitutional Challenges to State Statutes, 71 Advocate 43 (Summer 2015). Copy supplied.

With others, *K&S Client Alert: U.S. Supreme Court's Omnicare Decision Leaves Open Narrowed Theory of Liability for Statements of Opinion Under Federal Securities Laws*, (Mar. 31, 2015). Copy supplied.

With Mike Biles, *Why You Should Not Follow Mark Cuban's Legal Advice*, Law360.com

(Feb. 3, 2014). Copy supplied.

Note, *Desuetude*, 119 Harv. L. Rev. 2209 (2006). Copy supplied.

With David Rosenberg, *Coordinating Private Class Action and Public Agency Enforcement of Antitrust Law*, 2 J. Competition L. & Econ. 159 (2006). Copy supplied.

Case Comment, *Retaliation as Sex Discrimination:* Jackson v. Birmingham Bd. of Educ., 119 Harv. L. Rev. 357 (2005). Copy supplied.

Recent Case, *Ninth Circuit Holds That Shaming Punishment Does Not Violate the Sentencing Reform Act:* United States v. Gementera, 118 Harv. L. Rev. 825 (2004). Copy supplied.

Book Review, 27 Harv. Women's L.J. 273 (2004). Copy supplied.

In addition to the above, and while not necessarily required by the question, in the interest of full disclosure I am listing below articles authored by friends and colleagues where I provided research, comments, or assistance during the drafting process.

Jonathan F. Mitchell, *The Writ-of-Erasure Fallacy*, 104 Va. L. Rev. 933 (2018). Copy supplied.

Jonathan F. Mitchell, *Textualism and the Fourteenth Amendment*, 69 Stan. L. Rev. 1237 (2017). Copy supplied.

Jonathan F. Mitchell, *Remembering the Boss*, 84 U. Chi. L. Rev. 2291 (2017). Copy supplied.

Jonathan F. Mitchell, *Judicial Review and the Future of Federalism*, 49 Ariz. St. L.J. 1091 (2017). Copy supplied.

Jeffrey D. Mills, *Patent Litigation Two Years After* Octane Fitness*: How to Enhance the Prospect of Recovering Attorneys' Fees*, 45 AIPLA Q.J. 27 (2017). Copy supplied.

Richard M. Re, *Narrowing Supreme Court Precedent from Below*, 104 Geo. L.J. 921 (2016). Copy supplied.

Mark Totten, *Credit Reform and the States: The Vital Role of Attorneys General After Dodd-Frank*, 99 Iowa L. Rev. 115 (2013). Copy supplied.

Jonathan F. Mitchell, *Stare Decisis and Constitutional Text*, 110 Mich. L. Rev. 1 (2011). Copy supplied.

Richard M. Re, *Can Congress Overturn* Kennedy v. Louisiana*?*, 33 Harv. J.L. & Pub. Pol'y 1031 (2010). Copy supplied.

Robert J. Jackson, Jr. & David Rosenberg, *A New Model of Administrative Enforcement*, 93 Va. L. Rev. 1983 (2007). Copy supplied.

Simon Stern, *Constructive Knowledge, Probable Cause, and Administrative Decisionmaking*, 82 Notre Dame L. Rev. 1085 (2007). Copy supplied.

Cass R. Sunstein & Adrian Vermeule, *The Ethics and Empirics of Capital Punishment: Is Capital Punishment Morally Required? Acts, Omissions, and Life-Life Tradeoffs*, 58 Stan. L. Rev. 703 (2005). Copy supplied.

Oren Bar-Gill, *Seduction by Plastic*, 98 Nw. U. L. Rev. 1373 (2004). Copy supplied.

b. Supply copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

c. Supply copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

Testimony before the Texas Senate Committee on Nominations as Justice, Place 2, Supreme Court of Texas (Mar. 10, 2025), *available at* https://senate.texas.gov/videoplayer.php?vid=21278&lang=en.

Letter Supporting the Nomination of Andrew S. Oldham for the United States Court of Appeals for the Fifth Circuit (Apr. 2, 2018). Copy supplied.

Testimony before the Texas House of Representatives Committee on Business & Industry in support of H.B. 1603 (Mar. 24, 2015), *available at* http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=10319.

d. Supply copies, transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

In support of my candidacy for the Supreme Court of Texas, I delivered many extemporaneous political speeches without using prepared remarks or notes between January 2025 and November 2026. For many such speeches, there is no recording or transcript, no particular group was being addressed, and there were no press reports. I have included below those speeches for which I have records. If not otherwise indicated, the appropriate address for such events is the address of record for my campaign: Post Office Box 11583, Austin, Texas 78711.

To my recollection and through a review of my calendars and searches of publicly available databases, I have found the following responsive materials:

October 31, 2026: Speaker, "Visit with Rig Crew BBQ," Pearland High School, Pearland, Texas. The subject of my remarks was to encourage a high-school BBQ team as they prepared for an upcoming competition. A picture can be found at https://x.com/JudgeSullyTX/status/2116724696876200114?s=46. I have no notes, transcript, or recording. The address of Pearland High School is 3775 South Main Street, Pearland, Texas 77581.

October 31, 2026: Panelist, "Ribbon-Cutting Ceremony at Diwali Celebration," Sri Meenakshi Temple, Pearland, Texas. Program supplied. The address of Sri Meenakshi Temple is 17130 McLean Road, Pearland, Texas 77584.

October 26, 2026: Panelist, "Induction Ceremony for New Members of the State Bar of Texas," State Bar of Texas, Austin, Texas. Program supplied. I have no notes, transcript, or recording. The address of the State Bar of Texas is Texas Law Center, 1414 Colorado Street, Austin, Texas 78701.

October 22, 2026: Panelist, "The Texas Business Court & Fifteenth Court of Appeals: The Inaugural Years," Innovative Driven, Houston, Texas. Program supplied.

October 16, 2026: Speaker, "Administering the Oath to New Lawyers," Supreme Court of Texas, Austin, Texas. Remarks supplied.

October 13, 2026: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Coronado Club, Houston, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

October 8, 2026: Panelist, "Supreme Court of Texas Hears Oral Arguments at SMU," SMU Dedman School of Law, Dallas, Texas. The subject of the panel was a question-and-answer session with students and the Supreme Court of Texas, following oral arguments on campus. Coverage of the panel can be found at https://www.instagram.com/p/DeSWZ9glxHA/. I have no notes, transcript, or recording. The address of the SMU Dedman School of Law is 3315 Daniel Avenue, Dallas, Texas 75205.

October 3, 2026: Panelist, "Introduction of Justice James P. Sullivan," BAPS Shri

Swaminarayan Mandir, Stafford, Texas. The subject of my appearance was to be introduced as a candidate for the Supreme Court of Texas. I have no notes, transcript, or recording. The address of BAPS Shri Swaminarayan Mandir is 1150 Brand Lane, Stafford, Texas 77477.

October 1, 2026: Panelist, "35th Annual Red Mass," Diocese of Austin, Austin, Texas. Invitation supplied. I have no notes, transcript, or recording. The address of the Diocese of Austin is 6225 East Highway 290, Austin, Texas 78723.

September 30, 2026: Panelist, "Victory 2026: Reception Honoring the Collin County Judiciary," Collin County Republican Party, Plano, Texas. Program supplied. The subject of my remarks was my candidacy for the Supreme Court of Texas. The address of the Collin County Republican Party is 2963 West 15th Street, Suite 2981, Plano, Texas 75075.

September 25, 2026: Speaker, "Representative Ben Bumgarner's BBQ Event," Circle R Ranch, Flower Mound, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording. The address of the Circle R Ranch is 5901 Cross Timbers Road, Flower Mound, Texas 75022.

September 24, 2026: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Park City Club, Dallas, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

September 23, 2026: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Willowbrook Country Club, Tyler, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

September 22, 2026: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Austin Club, Austin, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

September 19, 2026: Panelist, "What's Next for Law Schools," Teneo, San Diego, California. The subject matter of the panel was the proper metrics for law-school accreditation. I have no notes, transcript, or recording. The address for Teneo is 280 Park Avenue, 4th Floor, New York, New York 10017.

September 16, 2026: Speaker, "Administering the Oath of Office," Texas Commission on Lawyer Discipline, Austin, Texas. Remarks supplied.

September 10, 2026: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Norton Rose Fulbright LLP, Austin, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

September 10, 2026: Panelist, "Portrait-Hanging Ceremony for Justice Craig T. Enoch," Supreme Court of Texas, Austin, Texas. The subject of the panel was a ceremony

honoring the judicial service of Justice Craig T. Enoch. Coverage can be found at https://www.youtube.com/watch?v=2qXEolGCn5o. I have no notes, transcript, or recording. The address of the Supreme Court of Texas is Post Office Box 12248, Austin, Texas 78711.

September 9, 2026: Panelist, "Texas Supreme Court Panel," Texas Bar CLE Conference on Advanced Civil Appellate Practice, Austin, Texas. I have no notes, transcript, or recording. Questions and program supplied. The address of the State Bar of Texas is Texas Law Center, 1414 Colorado Street, Austin, Texas 78701.

September 1, 2026: Speaker, "Administering the Oath of Office," Texas Capitol, Austin, Texas. The subject matter of my remarks was to administer the oath of office for a Texas state district judge. I have no notes, transcript, or recording. I have no notes, transcript, or recording. The address of the Texas Capitol is 1100 Congress Avenue, Austin, Texas 78701

August 20, 2026: Speaker, "Remarks to the McLennan County Republican Club," McLennan County Republican Club, Waco, Texas. The subject matter of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording. The address of the McLennan County Republican Club is 539 North Valley Mills Drive, Waco, Texas 76710.

August 10, 2026: Speaker, "A Conversation with Justice James Sullivan," San Antonio Lawyers Chapter of the Federalist Society, San Antonio, Texas. Notes supplied.

August 5, 2026: Speaker, "Center Right Is Joined by Texas Supreme Court Justice James P. Sullivan," Texas Public Policy Foundation, Austin, Texas. The subject of my remarks was a question-and-answer session about my judicial service. I have no notes, transcript, or recording. The address of the Texas Public Policy Foundation is 901 Congress Avenue, Austin, Texas 78701.

July 20, 2026: Speaker, "Meet the Justice," North East Tarrant County Republican Club, Euless, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording. The address of the North East Tarrant County Republican Club is 201 North Rupert Street, Suite 117, Fort Worth, Texas 76107.

June 29, 2026: Speaker, "Administering the Oath to New Lawyers," Supreme Court of Texas, Austin, Texas. Remarks supplied.

June 27, 2026: Speaker, "Administering the Oath of Office," Williamson County Republican Party, Round Rock, Texas. I have no notes, transcript, or recording. Program supplied. The Williamson County Republican Party has no physical mailing address but can reached by email: chairman@wilcogop.org.

June 26, 2026: Speaker, "Administering the Oath to New Lawyers," Supreme Court of

Texas, Austin, Texas. Remarks supplied.

June 11, 2026: Panelist, "TYLA Moot Court: Judging the Championship Round," State Bar of Texas, Houston, Texas. Notes supplied.

June 11, 2026: Panelist, "Supreme Court of Texas Panel," UTCLE 36th Annual Conference on State and Federal Appeals, Austin, Texas. Slide deck supplied.

June 8, 2026: Speaker, "Administering the Official Boys State Oath," Texas Boys State, Austin, Texas. Remarks supplied.

May 23, 2026: Speaker, "Keynote Address: Home-School Graduation Ceremony," Austin Royals Football Team, Austin, Texas. Notes supplied.

May 21, 2026: Panelist, "Looking Up the Law: Lexicographic Literacy for the Appellate Bar," Civil Appellate Section of the Austin Bar Association, Austin, Texas. Notes supplied.

May 20, 2026: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Cokinos Young LLP, Houston, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

May 7, 2026: Speaker, "Fundraising Reception for Judicial Candidates," Lonesome Dove, Austin, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

May 7, 2026: Speaker, "Remarks Upon the Investiture of Justice James P. Sullivan," Chamber of the Texas House of Representatives, Austin, Texas. Remarks supplied.

May 4, 2026: Speaker, "Fundraising Reception for Judicial Candidates," The Woodlands Resort, The Woodlands, Texas. Invitation supplied.

April 27, 2026: Panelist, "Induction Ceremony for New Members of the State Bar of Texas," State Bar of Texas, Austin, Texas. I have no notes, transcript, or recording. Program supplied. The address of the State Bar of Texas is Texas Law Center, 1414 Colorado Street, Austin, Texas 78701.

April 24, 2026: Speaker, "Administering the Oath to New Lawyers," Supreme Court of Texas, Austin, Texas. Remarks supplied.

April 22, 2026: Speaker, "Keynote Address to Corrections Officers," Texas Criminal Justice Legal Conference, Huntsville, Texas. Notes supplied.

April 11, 2026: Panelist, "2006 Class Symposium," Harvard Law School Reunion, Cambridge, Massachusetts. Questions supplied.

March 18, 2026: Speaker, "Still on Irish Time," Austin Republican Women, Austin, Texas. The subject of my remarks was the Irish-American experience and my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording. Austin Republican Women can be contacted through the Texas Federation of Republican Women at Post Office Box 171146, Austin, Texas 78717.

March 5, 2026: Panelist, "Supreme Court of Texas Hears Oral Arguments at UT-RGV," University of Texas Rio Grande Valley, Edinburg, Texas. The subject of the panel was a question-and-answer session with students and the Supreme Court of Texas, following oral arguments on campus. Coverage of the panel can be found at https://www.utrgv.edu/newsroom/2026/03/05/texas-supreme-court-holds-first-ever-oral-arguments-at-utrgv.htm. I have no notes, transcript, or recording. The address of UT-RGV is 1201 West University Drive, Edinburg, Texas 78539.

March 2, 2026: Speaker, "Remarks on Texas Independence Day," Hadar Jewish Classical Academy, Austin, Texas. Notes supplied.

February 27, 2026: Speaker, "Remarks at Young Conservatives of Texas Foundation State Convention," Young Conservatives of Texas Foundation, Austin, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording. The address of the Young Conservatives of Texas Foundation is 8301 Lakeview Parkway, Suite 111-120, Rowlett, Texas 75088.

February 25, 2026: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," City Club, Fort Worth, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

February 25, 2026: Panelist, "A Conversation with Judge Sean Jordan and Justice James P. Sullivan," SMU Student Chapter of the Federalist Society, Dallas, Texas. The subject of the panel was the American Revolution. I have no notes, transcript, or recording. The address of the SMU Student Chapter of the Federalist Society is 3315 Daniel Avenue, Dallas, Texas 75205.

February 19, 2026: Speaker, "Leadership Bee County Delegation," Texas Capitol, Austin, Texas. Program supplied. I have no notes, transcript, or recording. The address of the Texas Capitol is 1100 Congress Avenue, Austin, Texas 78701

February 17, 2026: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Crescent Club, Dallas, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

February 4, 2026: Speaker, "In Vino Veritas: Fundraising Reception for the Judge James P. Sullivan Campaign," Neighborhood Vintner, Austin, Texas. Remarks supplied.

January 29, 2026: Speaker, "TROLP Salon Dinner," Texas Review of Law & Politics, Austin, Texas. The subject of my remarks was the value of finding a good fit when

pursuing judicial clerkships. I have no notes, transcript, or recording. The address of the Texas Review of Law & Politics is the University of Texas School of Law, 727 East Dean Keeton Street, Austin, Texas 78705.

January 22, 2026: Speaker, "Buckley Institute Dinner," Yale University, New Haven, Connecticut. The subject matter of my remarks was a question-and-answer session about my judicial service. I have no notes, transcript, or recording. The address of the Buckley Institute is 265 Church Street, Suite 404, New Haven, Connecticut 06510.

January 16, 2026: Panelist, "Demystifying Judicial Clerkships: The View from the State Appellate Bench," Texas Tech Law School, Lubbock, Texas. Notes supplied.

January 15, 2026: Speaker, "Administering the Oath of Office to Judge Greg Wilhelm," 504th District Court, Midlothian, Texas. Remarks supplied.

January 8, 2026: Speaker, "Fundraising Reception for Judicial Candidates," Austin Club, Austin, Texas. Invitation supplied. I have no notes, transcript, or recording. The address of the Austin Club is 110 East 9th Street, Austin, Texas 78701.

January 8, 2026: Panelist, "Judicial Candidates Forum," Austin Republican Women, Austin, Texas. Program supplied. I have no notes, transcript, or recording. Austin Republican Women can be contacted through the Texas Federation of Republican Women at Post Office Box 171146, Austin, Texas 78717.

November 20, 2025: Speaker, "Administering the Oath to New Lawyers," Supreme Court of Texas, Austin, Texas. Remarks supplied.

November 7, 2025: Panelist, "Showcase Panel 2: Immigration and Originalism," National Lawyers Convention of the Federalist Society, Washington, District of Columbia. Video available at https://youtu.be/EyLWI_YApnw?si=xshSiymllFZw3acO.

November 3, 2025: Panelist, "Induction Ceremony for New Members of the State Bar of Texas," State Bar of Texas, Austin, Texas. I have no notes, transcript, or recording. Program supplied. The address of the State Bar of Texas is Texas Law Center, 1414 Colorado Street, Austin, Texas 78701.

October 25, 2025: Panelist, "Mack Kidd Moot Court: Judging the Championship Round," Supreme Court of Texas, Austin, Texas. Notes supplied.

October 23, 2025: Speaker, "Administering the Oath of Office," Texas Capitol, Austin, Texas. The subject matter of my remarks was to administer the oath of office for a Commissioner on the Public Utility Commission of Texas. I have no notes, transcript, or recording. The address of the Texas Capitol is 1100 Congress Avenue, Austin, Texas 78701.

October 23, 2025: Panelist, "Elected Official / Candidate Meet and Greet," Texas

Federation of Republican Women 35th Biennial Convention, San Antonio, Texas. Program supplied. I have no notes, transcript, or recording. The address of the Texas Federation of Republican Women is Post Office Box 171146, Austin, Texas 78717.

October 19, 2025: Speaker, "Administering the Oath of Office," Supreme Court of Texas, Austin, Texas. The subject matter of my remarks was to administer the oath of office for the Director of Institutional Policy and Oversight at the Texas Higher Education Coordinating Board's Office of the Ombudsman. I have no notes, transcript, or recording. The address of the Supreme Court of Texas is Post Office Box 12248, Austin, Texas 78711.

October 17, 2025: Speaker, "Keynote Presentation: Notes from the Texas Supreme Court," Government Law and Liability Conference, Austin, Texas. Notes supplied.

October 11, 2025: Panelist, "Board Leadership: Applying the Texas Model of State Deployments in Your State," Teneo, Colorado Springs, Colorado. The subject matter of the panel was volunteering for appointed positions in public service. I have no notes, transcript, or recording. The address for Teneo is 280 Park Avenue, 4th Floor, New York, New York 10017.

October 1, 2025: Speaker, "Administering the Oath of Office," Supreme Court of Texas, Austin, Texas. The subject matter of my remarks was to administer the oath of office for an appointee to the Unauthorized Practice of Law Committee. I have no notes, transcript, or recording. The address of the Supreme Court of Texas is Post Office Box 12248, Austin, Texas 78711.

September 25, 2025: Panelist, "Conversation with Texas Judiciary," Harvard Law School Association of Houston, Houston, Texas. Program supplied. I have no notes, transcript, or recording. The Harvard Law School Association of Houston has no physical mailing address but can reached by email: info@houston.hlsa.org.

September 17, 2025: Speaker, "Administering the Oath of Office," Texas Commission on Lawyer Discipline, Austin, Texas. Remarks supplied.

September 17, 2025: Panelist, "Q&A with Civil Procedure Students," University of Texas Law School, Austin, Texas. Notes supplied.

August 28, 2025: Speaker, "Texas Supreme Court Review," Austin Lawyers Chapter of the Federalist Society, Austin, Texas. Notes supplied.

June 25, 2025: Panelist, "Q&A on Appellate Advocacy," Office of the Solicitor General, Austin, Texas. Notes supplied.

June 20, 2025: Speaker, "Administering the Oath of Office to State Bar of Texas President Santos Vargas," State Bar of Texas, San Antonio, Texas. Remarks supplied.

June 19, 2025: Speaker, "Administering the Oath of Office," Business Law Section of the State Bar of Texas, Houston, Texas. Remarks supplied.

June 12, 2025: Panelist, "Supreme Court of Texas Panel," UTCLE 35th Annual Conference on State and Federal Appeals, Austin, Texas. Program and notes supplied.

April 30, 2025: Panelist, "Induction Ceremony for New Members of the State Bar of Texas," State Bar of Texas, Austin, Texas. I have no notes, transcript, or recording. The address of the State Bar of Texas is Texas Law Center, 1414 Colorado Street, Austin, Texas 78701. Press coverage supplied.

April 11, 2025: Speaker, "Administering the Oath of Office to Governor-for-a-Day Brandon Creighton," Governor's Mansion, Austin, Texas. Remarks supplied.

March 29, 2025: Speaker, "Invocation at Inaugural Banquet," Journal of Law & Civil Governance at Texas A&M, Fort Worth, Texas. Notes supplied.

March 27, 2025: Panelist, "Teneo Texas Summit: Morning Program," Teneo, Austin, Texas. The subject matter of the panel was a question-and-answer session regarding the role of the judiciary. I have no notes, transcript, or recording. The address of Teneo is 280 Park Avenue, 4th Floor, New York, New York 10017.

March 6, 2025: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," private residence, Dallas, Texas. I have no notes, transcript, or recording. The subject of my remarks was my candidacy for the Supreme Court of Texas.

March 5, 2025: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," City Club, Fort Worth, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

February 28, 2025: Panelist, "Meet the Newest SCOTX Justice," Houston Lawyers Chapter of the Federalist Society, Houston, Texas. I have no notes, transcript, or recording. Program supplied. The address of the Federalist Society is 1776 I Street, N.W., Suite 300, Washington, District of Columbia 20006.

February 28, 2025: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Joplin Room, Houston, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

February 27, 2025: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Coronado Club, Houston, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

February 26, 2025: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Austin Club, Austin, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

February 24, 2025: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," private residence, Austin, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording.

February 21, 2025: Speaker, "Fundraising Reception for the Judge James P. Sullivan Campaign," Club Giraud, San Antonio, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. Coverage can be found at https://www.linkedin.com/posts/dodrummond_scotx-judgesully-share-7298783577641472000-jjM1/?utm_source=share&utm_medium=member_desktop&rcm=ACoAAEII_pMBbiy_tyoHkmqNY7wyJNEmIkdeixU. I have no notes, transcript, or recording.

February 20, 2025: Speaker, "Civil Discourse Workshop," Baylor Law School classroom of Professor Leah Witcher Jackson Teague, Waco, Texas. The subject of my remarks was as extemporaneous discussion of the importance of civility in the practice of law. I have no notes, transcript, or recording. The address of Baylor Law School is 1114 South University Parks Drive, Waco, Texas 76706.

February 20, 2025: Panelist, "Supreme Court of Texas Hears Oral Arguments at Baylor," Baylor Law School, Waco, Texas. The subject of the panel was a question-and-answer session with students and the Supreme Court of Texas, following oral arguments on campus. Coverage of the panel can be found at https://law.baylor.edu/news/story/2025/texas-supreme-court-convenes-baylor-university-school-law. I have no notes, transcript, or recording. The address of Baylor Law School is 1114 South University Parks Drive, Waco, Texas 76706.

February 12, 2025: Speaker, "Extemporaneous Remarks on the Texas Business Court," Civil Justice Reform Group, Austin, Texas. The subject of my remarks was the Texas Legislature's recent creation of a specialized court for business litigation. I have no notes, transcript, or recording. The address of the Civil Justice Reform Group is Post Office Box 51, Palmyra, Virginia 22963.

February 6, 2025: Panelist, "The Texas Business Court: Opportunities and Risks," Texas A&M School of Law, Fort Worth, Texas. I have no notes, transcript, or recording. Program supplied. Photographs available at https://www.flickr.com/photos/153197046@N05/albums/72177720323665040/with/54312506871. The address of the Texas A&M School of Law, Fort Worth is 1515 Commerce Street, Fort Worth, Texas 76102.

January 22, 2025: Speaker, "Political Speech at Luby's," Republican Club of Bexar County, San Antonio, Texas. The subject of my remarks was my candidacy for the Supreme Court of Texas. I have no notes, transcript, or recording. The address of the Republican Club of Bexar County is 909 Northeast Interstate 410 Loop, Suite 801, San Antonio, Texas 78209.

January 14, 2025: Panelist, "Administering the Oath of Office for the 89th Legislature," Texas Senate, Austin, Texas. The subject of the panel was to swear in the Texas Senate at the beginning of the legislative session. I have no notes, transcript, or recording. The address of the Texas Senate is 1100 Congress Avenue, Austin, Texas 78701

January 7, 2025: Speaker, "Investiture of Justice James P. Sullivan," Governor's Public Reception Room, Austin, Texas. Remarks supplied.

September 21, 2024: Panelist, "Panel I: Defense Against Attacks on the Legitimacy of the Courts," Texas Chapters Conference of the Federalist Society, Fort Worth, Texas. I have no notes, transcript, or recording. Program supplied. The address of the Federalist Society is 1776 I Street, N.W., Suite 300, Washington, District of Columbia 20006.

June 18, 2024: Panelist, "Securing the Border and the Rule of Law," San Antonio Lawyers Chapter of the Federalist Society, San Antonio, Texas. The subject of the panel was Texas's ongoing border litigation with the federal government. I have no notes, transcript, or recording. The address of the Federalist Society is 1776 I Street, N.W., Suite 300, Washington, District of Columbia 20006.

January 12, 2024: Panelist, "Immigration," Law and Policy Forum, Palm Beach, Florida. The subject of the panel was Texas's ongoing border litigation with the federal government. I have no notes, transcript, or recording. The address of the Law and Policy Forum is 3220 N Street N.W., Suite 268, Washington, District of Columbia 20007.

November 30, 2023: Speaker, "Investiture of Judge Christine Nowak," Russell Steindam Courts Building, McKinney, Texas. I led the recitation of the Pledge of Allegiance and the Texas Pledge. I have no notes, transcript, or recording. The address of Judge Nowak's chambers is 2100 Bloomdale Road, Suite 20246, McKinney, Texas 75071.

November 9, 2023: Panelist, "New Day, Next Play," Texas General Counsel Forum. I have no notes, transcript, or recording. Program supplied. The address of the Texas General Counsel Forum is Post Office Box 131263 Dallas, Texas 75313.

November 17, 2022: Speaker, "Remarks to the McLennan County Republican Club," McLennan County Republican Club, Waco, Texas. I have no notes, transcript, or recording. The subject matter of my remarks was my service in the Office of the Governor of Texas. The address of the McLennan County Republican Club is 539 North Valley Mills Drive, Waco, Texas 76710.

June 13, 2022: Panelist, "*Chevron* and the States: A Conversation with Governors' General Counsel about Judicial Deference to State Administrative Agency Interpretations of State Law," for the Federalist Society, Austin, Texas. Video available at https://youtu.be/SDml-L3bNMQ?si=sYkMhdkZ77bVc6oF.

August 26, 2021: Speaker, "A Conversation with James Sullivan, Deputy General Counsel, Office of Governor Greg Abbott," Tyler Lawyers Chapter of the Federalist

Society, Tyler, Texas. The subject of my remarks was the ongoing *Bruen* litigation in the U.S. Supreme Court. I have no notes, transcript, or recording. The address of the Federalist Society is 1776 I Street, N.W., Suite 300, Washington, District of Columbia 20006.

September 8, 2018: Panelist, "Supreme Court Review: Justice Gorsuch at Year One," Texas Chapters Conference of the Federalist Society, Fort Worth, Texas. Video available at https://youtu.be/RQytWz_UiPM?si=u-j8qq6IUOzEq9h1. My remarks were also published at *Texas and the Supreme Court: OT 2017*, 23 Tex. R.L. & Pol. 351 (Winter 2018–2019). Copy supplied in response to Question 12.a.

April 7, 2018: Panelist, "Free Speech on Campus—Third Session: Panel on Hate Speech—The University of Texas Club," Texas Network for the Study of Public Issues, Austin, Texas. I have no notes, transcript, or recording. Program supplied. The Texas Network for the Study of Public Issues does not maintain a single permanent physical headquarters or dedicated office address

March 29, 2018: Speaker, "Creating an Advisory Committee on Procedures for the Fifth Circuit," Civil Appellate Section of the Austin Bar Association, Austin, Texas. Slide deck supplied.

May 19, 2017: Panelist, "How Different Court Systems in Delaware and Texas Affect Choice of Entity Domicile Decisions," State Bar of Texas, San Antonio, Texas. Slide deck supplied.

November 18, 2016: Panelist, "Business Litigation in Texas and Elsewhere," Advanced Business Law Conference at Baker Botts, Austin, Texas. Slide deck supplied.

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and copies of the clips or transcripts of these interviews where they are available to you.

On July 14, 2026, I participated in an interview with Brandon Waltens of the Texas Scorecard for an episode of the *Real Texans* podcast. Video is available at https://youtu.be/mb7RjYDspvc?si=Pi9-kdPAW4_JkRMz.

On June 22, 2026, I participated in an interview with Jonathan Richie of the Texas Bullpen for Episode 35 of the *Texas Bullpen Podcast*. Video is available at https://youtu.be/hJfPXOZ2CVk?si=snV4dRXJHhigCmy5.

On June 22, 2026, I participated in an interview with Laura Beth Latimer and Clayton Calvin of the Texas Public Policy Foundation for an episode of the *Rightly Decided* podcast entitled "Judicial Courage." Video is available at https://youtu.be/aNtIposWxkg?si=-zJzkwmfjkDTpADZ.

On September 8, 2026, I participated in an interview with *Pride of the Hills: Westlake*

High School Alumni Magazine. Copy supplied.

On March 18, 2025, I participated in an interview with Alyson Martinez of the Texas Young Lawyers Association for Episode 9 of the *Young Gunner's SCOTX Series* podcast. Video is available at https://tyla.org/resource/young-gunners-podcast/.

On January 25, 2026, I submitted an online candidate survey for *Dallas Morning News*. Copy supplied.

13. **Judicial Office**: State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

2025 – present
Supreme Court of Texas
Justice

Justices on the Supreme Court of Texas are elected in statewide partisan elections to six-year terms, with vacancies filled through appointment by the Governor and confirmation by the Senate. On January 7, 2025, Governor Greg Abbott appointed me to fill a vacancy for Justice, Place 2, on the Supreme Court of Texas. In 2026, I stood for election to the remainder of my predecessor's unexpired term. The Supreme Court of Texas is the highest court in Texas for all but criminal cases. The Court exercises discretionary review, for the most part, assembling its docket from petitions for review from final judgments of intermediate courts of appeals.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____

I have not presided over cases.

i. Of these cases, approximately what percent were:

jury trials: ___%
bench trials: ___%

ii. Of these cases, approximately what percent were:

civil proceedings: ___%
criminal proceedings: ___%

b. Provide citations for all opinions you have written, including concurrences and dissents.

The following are signed majority opinions that I wrote:

Conduent State Healthcare, LLC v. M&M Orthodontics, P.A , No. 24-0802, 2026 WL

3030784 (Tex. Oct. 9, 2026)

Aldaco v. Wood, 740 S.W.3d 521 (Tex. 2026)

TCEQ v. Paxton, 740 S.W.3d 415 (Tex. 2026)

DPS v. Callaway, 740 S.W.3d 511 (Tex. 2026)

Diamond Hydraulics, Inc. v. GAC Equip., LLC, 731 S.W.3d 901 (Tex. 2026)

Equinor Energy LP v. Lindale Pipeline, LLC, 731 S.W.3d 324 (Tex. 2026)

Cockrell Inv. Partners, L.P. v. Middle Pecos Groundwater Conservation Dist., 731 S.W.3d 331 (Tex. 2026)

Gonzalez v. Tex. Med. Bd., 722 S.W.3d 848 (Tex. 2025)

Rush Truck Ctrs. of Tex., L.P. v. Sayre, 718 S.W.3d 233 (Tex. 2025)

Am. Pearl Grp., L.L.C. v. Nat'l Payment Sys., L.L.C., 715 S.W.3d 383 (Tex. 2025)

Cromwell v. Anadarko E&P Onshore, LLC, 716 S.W.3d 515 (Tex. 2025)

Am. Midstream (Ala. Intrastate), LLC v. Rainbow Energy Mkt'g Corp., 714 S.W.3d 572 (Tex. 2025)

The following are cases where I authored a concurrence, dissent, or other separate opinion:

Family Dollar Stores of Tex., LLC v. JLMH Invs., LLC, No. 24-0543, 2026 WL 1871092 (Tex. June 26, 2026) (Sullivan, J., dissenting)

In re J.D.H., 738 S.W.3d 522 (Tex. 2026) (Sullivan, J., dissenting)

In re Reed, 738 S.W.3d 461 (Tex. 2026) (Sullivan, J., concurring)

In re D.T., 740 S.W.3d 929 (Tex. 2026) (Sullivan, J., concurring in denial of review)

In re K.L.B., 740 S.W.3d 927 (Tex. 2026) (Sullivan, J., concurring in denial of review)

In re J.M., 741 S.W.3d 153 (Tex. 2026) (Sullivan, J., concurring in denial of review)

Studio E. Architecture & Interiors v. Lehmberg, 741 S.W.3d 67 (Tex. 2026) (Sullivan, J., dissenting)

Noyes v. State, 735 S.W.3d 731 (Tex. 2026) (Sullivan, J., concurring)

In re Abbott, 741 S.W.3d 139 (Tex. 2026) (Sullivan, J., concurring)

Hancock v. RJR Vapor Co., 734 S.W.3d 856 (Tex. 2026) (Sullivan, J., concurring)

Ortiz v. Nelapatla, 734 S.W.3d 400 (Tex. 2026) (Sullivan, J., dissenting)

In re Novartis Pharms. Corp., 722 S.W.3d 720 (Tex. 2025) (Young & Sullivan, JJ., respecting the denial of mandamus)

In re Marshall, 722 S.W.3d 17 (Tex. 2025) (Young & Sullivan, JJ., dissenting from the denial of mandamus)

Nautilus Ins. Co. v. HOF Partners LLC, 716 S.W.3d 570 (Tex. 2025) (Young & Sullivan, JJ., statement respecting denial of rehearing)

In re Westdale Asset Mgmt., Ltd., 716 S.W.3d 585 (Tex. 2025) (Sullivan, J., concurring in the denial of mandamus)

Perez v. City of San Antonio, 715 S.W.3d 709 (Tex. 2025) (Sullivan, J., dissenting)

Megatel C90-2, Inc. v. Bank of Utah, 712 S.W.3d 625 (Tex. 2025) (Sullivan, J., concurring)

Elliott v. City of College Station, 717 S.W.3d 888 (Tex. 2025) (Sullivan, J., concurring in part and dissenting in part)

In re State Farm Mut. Auto. Ins. Co., 712 S.W.3d 53 (Tex. 2025) (Sullivan, J., concurring)

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

As a member of the Supreme Court of Texas, I have not "presided" over cases. Consistent, however, with the practice of past nominees who have served on appellate courts, I have provided ten cases for which I wrote an opinion.

1. *Conduent State Healthcare, LLC v. M&M Orthodontics, P.A* , No. 24-0802, 2026 WL 3030784 (Tex. Oct. 9, 2026)

Dentists sued a government contractor that helped a state agency review orthodontic services purportedly covered by Medicaid. When the district court denied the contractor's attempt to invoke state sovereign immunity, the contractor filed a notice of

appeal. The Supreme Court of Texas held that the court of appeals lacked jurisdiction to hear this interlocutory appeal. Although the parties had not raised the jurisdictional problem, the Court had an independent obligation to satisfy itself that the lower courts had the power to render judgment. Statutes authorizing interlocutory appeals are an exception to the final-judgment rule, and the contractor could not fit itself into any of the narrow exceptions enacted by the Texas Legislature. Accordingly, the Supreme Court of Texas vacated the opinion and judgment of the court of appeals and remanded the case to the district court for further proceedings.

Video of oral argument is available at https://www.youtube.com/watch?v=2sY5yavcFf0.

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2. *Aldaco v. Wood*, 740 S.W.3d 521 (Tex. 2026)

Aldaco sued the therapist whose letter of recommendation enabled her elective double mastectomy. The court of appeals deemed her claims time-barred by the two-year statute of limitations in the Texas Medical Liability Act. The Supreme Court of Texas reversed, rejecting the argument that Aldaco's two-year clock started ticking on the date her therapist penned the letter. Instead, held the Court, the limitations period began to run upon the therapist's completion of care, which occurred a few months later. Because Aldaco's claims were not untimely under the text of the statute of limitations, the Court reversed the judgment of the court of appeals and remanded to the district court.

Video of oral argument is available at
https://www.youtube.com/watch?v=9TaXEX_NtHw&t=2343s.

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3. *In re Abbott*, 741 S.W.3d 139 (Tex. 2026) (Sullivan, J., concurring)

Members of the Texas House of Representatives fled the State in an effort to deprive their chamber of a quorum during a called legislative session. Arguing that those members should be removed from office due to abandonment, the Governor and the Attorney General filed petitions invoking the Supreme Court of Texas's "original jurisdiction . . . to issue writs of quo warranto." Tex. Const. art. V, § 3(a). Within two weeks, the members returned to Austin and a quorum was restored. The Supreme Court of Texas denied the petitions, noting that "[t]he potential constitutional magnitude of this litigation is self-evident." I wrote a concurring opinion urging the Court to be prepared to play a factfinding role if additional quo warranto proceedings might be occasioned by another quorum break.

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4. *Noyes v. State*, 735 S.W.3d 731 (Tex. 2026) (Sullivan, J., concurring)

A state district court subjected Noyes to a lifetime ban on firearm possession, following a bench hearing in which it found reasonable grounds to believe he had engaged in criminal stalking. Noyes challenged this lifetime ban under both the Second Amendment and the Arms Clause of the Texas Constitution, but the court of appeals held that these claims had not been preserved. The Supreme Court of Texas granted his petition for review, vacated the judgment of the court of appeals, and remanded for further consideration in light of *United States v. Rahimi*, 602 U.S. 680 (2024). I wrote a concurring opinion exploring the grave constitutional concerns posed by a state statute that empowers a court to disarm someone for life without making a finding of dangerousness.

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5. *TCEQ v. Paxton*, 740 S.W.3d 415 (Tex. 2026)

In 2019, the Sierra Club sent the Texas Commission on Environmental Quality a written request for records under the Texas Public Information Act. Asserting the deliberative-process privilege, TCEQ sought a letter ruling from the Office of the Attorney General. OAG concluded that TCEQ had blown the ten-business-day deadline for seeking a letter ruling, such that a broad swath of records would have to be disclosed. Although OAG later confessed error on that point, the district court ordered TCEQ to hand over 6414 pages of documents, and the court of appeals affirmed. The Supreme Court of Texas reversed the judgment of the court of appeals and remanded for further proceedings.

Analyzing the text of the Texas Public Information Act and Supreme Court precedent, the Court held that TCEQ timely sought a letter ruling within ten business days.

Video of oral argument is available at
https://www.youtube.com/watch?v=r0j32BHHxBM&t=1630s.

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6. *DPS v. Callaway*, 740 S.W.3d 511 (Tex. 2026)

The Texas Department of Public Safety fired Chris Callaway, a former Texas Ranger suffering from post-traumatic stress disorder, because he menaced a pair of counselors at his daughter's high school and then threatened to arrest the two police officers who arrived on the scene. Callaway sued DPS, urging a disability-discrimination claim under Chapter 21 of the Texas Labor Code. The Supreme Court of Texas held that Callaway's claim fails as a matter of law because his PTSD would "impair [his] ability to reasonably perform a job." Tex. Labor Code § 21.105. As the Court explained, DPS can't give someone a sidearm and a badge, send him out to handle stressful situations, and then have that officer snap under pressure. The Court reversed in part the judgment of the court of appeals and rendered judgment dismissing Callaway's claims against DPS.

Video of oral argument is available at
https://www.youtube.com/watch?v=hHkLCEqmm6k.

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7. *Cockrell Inv. Partners, L.P. v. Middle Pecos Groundwater Conservation Dist.*, 731 S.W.3d 331 (Tex. 2026)

In this case involving state administrative law, the district court and the court of appeals held that Cockrell Investment Partners, L.P. could not seek judicial review concerning groundwater-production permits that affected its pecan orchard. According to the lower courts, Cockrell ran up against a statutory exhaustion requirement because it sued the Middle Pecos Groundwater Conservation District before allowing 90 days to elapse from the filing of its reconsideration requests with that agency. The Supreme Court of Texas reversed and remanded, explaining that the statutory exhaustion requirement applies only to a permit applicant or a party to the administrative proceeding before the District. Cockrell was neither of those things. In fact, the reason Cockrell sued in the first place was because the District had denied it party status.

Video of oral argument is available at https://www.youtube.com/watch?v=tfuU9RIy7ZA.

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8. *Gonzalez v. Tex. Med. Bd.*, 722 S.W.3d 848 (Tex. 2025)

Gonzalez, who has an M.D. from an accredited medical school but never got a medical license, referred to himself as a "physician" and used the title of "Dr." while running for Congress. The Texas Medical Board issued a cease-and-desist order, threatening to impose civil penalties of $5000 each time Gonzalez used the words "physician" or "Dr." on the campaign trail. When Gonzalez sued the Board, the district court dismissed all of his claims on procedural grounds, and the court of appeals largely affirmed. The Supreme Court of Texas reversed in part and remanded for further proceedings on Gonzalez's facial constitutional claim, his as-applied constitutional claim, and his *ultra vires* claim. "If the Texas Medical Board thinks it has the power to police campaign speech," the Court explained, "it will have to defend that position on the merits."

Video of oral argument is available at https://www.youtube.com/watch?v=5Qz-cXksL24.

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9. *Rush Truck Ctrs. of Tex., L.P. v. Sayre*, 718 S.W.3d 233 (Tex. 2025)

A six-year-old girl was killed by her school bus as she crossed in front of it to go home. Her parents sued in Dallas County. The district court denied the defendants' motion to

transfer venue to Parker County, so they took an interlocutory appeal to the court of appeals, which affirmed. As the Supreme Court of Texas explained, however, "[j]urisdiction always comes first." Parsing the text of the relevant statute, the Court overruled numerous lower courts that had allowed an interlocutory appeal any time venue was contested in a multi-defendant case. Because the court of appeals lacked jurisdiction to hear this interlocutory appeal, its judgment was vacated and the case was remanded to the district court for further proceedings.

Video of oral argument is available at
https://www.youtube.com/watch?v=R_lTwlzw4dY&t=1465s.

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10. *Cromwell v. Anadarko E&P Onshore, LLC*, 716 S.W.3d 515 (Tex. 2025)

This case involved a pair of oil-and-gas leases with habendum clauses written in the passive voice. In other words, the leases said they will continue so long as minerals are produced from the land—but did not specify who must do the producing. The lower courts held that Cromwell, who holds the leases, must *personally* produce minerals to retain his interests. The Supreme Court of Texas reversed and remanded. It looked to the plain language of the oil-and-gas leases, just as it would with any other contract, and refused to blue-pencil in requirements that the parties chose not to write into the memorialization of their bargain.

Video of oral argument is available at
https://www.youtube.com/watch?v=6QeLRdma980.

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(832) 849-1808

d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

1. *Conduent State Healthcare, LLC v. M&M Orthodontics, P.A* , No. 24-0802, 2026 WL 3030784 (Tex. Oct. 9, 2026)

Counsel for Petitioner

Constance H. Pfeiffer
Yetter Coleman LLP
811 Main Street, Suite 4100
Houston, Texas 77002
(713) 632-8000

Eric J.R. Nichols
Butler Snow LLP
1400 Lavaca Street, Suite 1000
Austin, Texas 78701
(737) 802-1800

Counsel for Respondents

Jason Ray
Riggs & Ray P.C.
3307 Northland Drive, Suite 215
Austin, Texas 78731
(512) 457-9806

2. *Aldaco v. Wood*, 740 S.W.3d 521 (Tex. 2026)

Counsel for Petitioner

John D. Ramer
Cooper & Kirk, PLLC
1523 New Hampshire Avenue, N.W.
Washington, District of Columbia 20036
(202) 220-9600

Ronald L. Miller (deceased)

Counsel for Respondents

William A. Newman
Chamblee Ryan, P.C.
Stemmons Freeway, Suite 1257
Dallas, Texas 75207

3. *In re Abbott*, 741 S.W.3d 139 (Tex. 2026) (Sullivan, J., concurring)

Counsel for Relator Governor Greg Abbott

Trevor W. Ezell
Office of the Governor
Post Office Box 12428
Austin, Texas 78711
(512) 936-3306

Counsel for Relator Attorney General Ken Paxton

William R. Peterson
Office of the Attorney General
Post Office Box 12548 (MC 059)
Austin, Texas 78711
(512) 936-1700

Counsel for Respondents

Chad W. Dunn
Brazil & Dunn, LLP
1900 Pearl Street
Austin, Texas 78705
(512) 717-9822

4. *Noyes v. State*, 735 S.W.3d 731 (Tex. 2026) (Sullivan, J., concurring)

Counsel for Petitioner

Craig S. Smith

Law Offices of Craig S. Smith
14493 S.P.I.D., Suite A, P.M.B. 240
Corpus Christi, Texas 78418
(361) 728-8037

Counsel for Respondent

Holly G. Weatherford
199 Main Plaza, Suite 2007
New Braunfels, Texas 78130
(830) 221-1300

5. *TCEQ v. Paxton*, 740 S.W.3d 415 (Tex. 2026)

Counsel for Petitioner TCEQ

Will Wassdorf
Office of the Attorney General
Post Office Box 12548, Capitol Station
Austin, Texas 78711
(512) 463-2100

Counsel for Respondent OAG

Kathy Johnson
Office of the Attorney General
Post Office Box 12548
Austin, Texas 78711
(512) 463-2100

Counsel for Respondent Sierra Club

William Christian
Graves, Dougherty, Hearon & Moody, P.C.
401 Congress Avenue, Suite 2700
Austin, Texas 78701
(512) 480-5600

6. *DPS v. Callaway*, 740 S.W.3d 511 (Tex. 2026)

Counsel for Petitioner

John Ramsey
Office of the Attorney General
Post Office Box 12548
Austin, Texas 78711

(512) 463-2100

Counsel for Respondent

William S. Hommel, Jr.
Hommel Law Firm PC
5620 Old Bullard Road, Suite 115
Tyler, Texas 75703
(903) 596-7100

7. *Cockrell Inv. Partners, L.P. v. Middle Pecos Groundwater Conservation Dist.*, 731 S.W.3d 331 (Tex. 2026)

Counsel for Petitioner

Denise Drake
Gibbs & Bruns, LLP
1100 Louisiana Street, Suite 5300
Houston, Texas 77002
(713) 650-8805

Counsel for Respondent Middle Pecos Groundwater Conservation District

Jose E. de la Fuente
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
(512) 322-5800

Counsel for Respondent Fort Stockton Holdings L.P.

Edmond R. McCarthy, Jr.
McCarthy & McCarthy, LLP
1122 Colorado Street, Suite 2399
Austin, Texas 78701
(512) 904-2313

8. *Gonzalez v. Tex. Med. Bd.*, 722 S.W.3d 848 (Tex. 2025)

Counsel for Petitioner

Roger W. Hughes
Adams & Graham, L.L.P.
134 East Van Buren, Suite 301
Harlingen, Texas 78550
(956) 428-7495

Counsel for Respondent

Rance Craft (retired)
Rosalind L. Hunt
Office of the Attorney General
Post Office Box 12548
Austin, Texas 78711
(512) 463-2100

9. *Rush Truck Ctrs. of Tex., L.P. v. Sayre*, 718 S.W.3d 233 (Tex. 2025)

Counsel for Petitioners

Richard H. Grafton
Germer Beaman & Brown, PLLC
One Barton Skyway
1501 South Mopac Expressway, Suite A400
Austin, Texas 78746
(512) 472-0288

Counsel for Respondents

Jeffrey S. Levinger
Levinger PC
1700 Pacific Avenue, Suite 2390
Dallas, Texas 75201
(214) 855-6817

10. *Cromwell v. Anadarko E&P Onshore, LLC*, 716 S.W.3d 515 (Tex. 2025)

Counsel for Petitioner

Joshua S. Smith
Beck Redden LLP
1221 McKinney, Suite 4500
Houston, Texas 77010
(713) 951-3700

Counsel for Respondent

Gwen J. Samora
Copeland & Rice LLP
2777 Allen Parkway
Houston, Texas 77019
(832) 849-1808

e. Provide a list of all cases in which certiorari was requested or granted.

To the best of my knowledge, certiorari was requested unsuccessfully in the following cases in which I participated but did not write an opinion:

In re F.L.J.B., No. 24-0997 (Tex. Jan. 31, 2025), *cert. denied*, 146 S. Ct. 123 (2025).

Anderson County v. Union Pacific R.R., No. 24-0354 (Tex. Mar. 7, 2025), *cert. denied*, 146 S. Ct. 109 (2025).

In re Uddin, No. 25-0538 (Tex. July 25, 2025), *cert. denied*, No. 25-7275, 2026 WL 2976555 (U.S. Oct. 5, 2026).

In re Bray, No. 25-0659 (Tex. Sept. 5, 2025), *cert. denied*, 146 S. Ct. 1611 (2026).

Guardiola v. Rodriguez, No. 25-0353 (Tex. Sept. 5, 2025), *cert. denied*, 146 S. Ct. 2580 (2026).

Maxwell v. Comm'n for Law. Discipline, No. 25-0191 (Tex. Oct. 24, 2025), *cert. denied*, 146 S. Ct. 2695 (2026).

Boeing Co. v. Sw. Airlines Pilots Ass'n, 716 S.W.3d 140 (Tex. 2025), *cert. denied*, 146 S. Ct. 1616 (2026).

Cerna v. Pearland Urban Air, LLC, 714 S.W.3d 585 (Tex. 2025), *cert. dismissed*, 146 S. Ct. 1051 (2026).

Commons of Lake Houston, Ltd. v. City of Houston, 711 S.W.3d 666 (Tex. 2025), *cert. denied*, 146 S. Ct. 299 (2026).

In addition, a certiorari petition is currently pending in *Perez v. City of San Antonio*, No. 26-15 (U.S.), a case in which the Supreme Court of Texas answered a certified question of Texas law from the United States Court of Appeals for the Fifth Circuit. *See Perez v. City of San Antonio*, 715 S.W.3d 709 (Tex. 2025).

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

No majority opinion I authored has been reversed by the Supreme Court of the United States. Nor has the Supreme Court of the United States affirmed a majority opinion I authored with significant criticism of my substantive or procedural rulings.

g. Provide a description of the number and percentage of your decisions in which

you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

The Supreme Court of Texas publishes all of its opinions.

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

In re Abbott, 741 S.W.3d 139 (Tex. 2026) (Sullivan, J., concurring)

Gonzalez v. Tex. Med. Bd., 722 S.W.3d 848 (Tex. 2025)

In re Novartis Pharms. Corp., 722 S.W.3d 720 (Tex. 2025) (Young & Sullivan, JJ., respecting the denial of mandamus)

Noyes v. State, 735 S.W.3d 731 (Tex. 2026) (Sullivan, J., concurring)

Perez v. City of San Antonio, 715 S.W.3d 709 (Tex. 2025) (Sullivan, J., dissenting)

i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

I have never sat by designation on a federal court of appeals.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

b. a brief description of the asserted conflict of interest or other ground for recusal;

c. the procedure you followed in determining whether or not to recuse yourself;

d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

I personally review each new case that comes before me to determine whether I have a conflict

of interest or whether my impartiality in the matter might reasonably be questioned. I cannot recall any occasion when an attorney or party has asked me to recuse myself for any reason.

In the following cases, I recused *sua sponte* because of my preexisting knowledge of the case or because of my wife's place of work:

Tex. Dep't of Fam. & Protective Servs., No. 23-0192
Tex. Dep't of State Health Servs., No. 23-0887
In re Tex. Parks & Wildlife Dep't, No. 23-0966
Port Arthur Cmty. Action Network v. Tex. Comm'n on Envt'l Quality, No. 24-0116
Paxton v. Am. Oversight, No. 24-0162
In re State of Texas, No. 24-0325
Muth v. Voe, No. 24-0384
Abbott v. Doe, No. 24-0385
Paxton v. Annunciation House, Inc., No. 24-0573
Richardson v. State, No. 24-0793
Spectrum Gulf Coast, LLC v. City of San Antonio, No. 24-0794
Office of the Attorney General v. PFLAG, Inc., No. 24-0892
Paxton v. City of Austin, No. 24-1078
Eubanks v. Nelson, No. 25-0016
State v. Google, LLC, No. 25-0172
Baylor Scott & White Health v. Bostick, No. 25-0242
Commerce Statler Dev., LLC v. Aquatherm GmbH, No. 25-0315
City of San Marcos v. State, No. 25-0439
Pique v. Nelson, No. 25-0449
Woodward v. Nelson, No. 25-0515
Woodward v. Nelson, No. 25-0581
City of Austin v. State, No. 25-0591
In re City of San Antonio, No. 25-0593
Young v. Tex. Parks & Wildlife Dep't, No. 25-0628
In re Nonparty Patient No. 15, No. 25-0630
Mazda Motor of N. Am., Inc. v. All Star Imports, Inc., No. 25-0775
Paris v. State, No. 25-0973
In re Cook Children's Health Plan, No. 25-1030
In re Wellpoint Ins. Co., No. 25-1031
In re Superior Healthplan, Inc., No. 25-1032
In re TikTok Inc., No. 26-0131
Pinkerton v. Keough, No. 26-0407
Rudder v. Tex. Dep't of State Health Servs., No. 26-0517
Barrera v. Uvalde Cnty., No. 26-0519
Torres v. Tex. Dep't of Pub. Safety, No. 26-0628
In re Benavides, No. 26-1050
In re Tex. Transgender Student Union LLC, No. 26-1246

15. **Public Office, Political Activities and Affiliations**:

a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have not held public office other than my judicial office. My candidacy to retain that office in the 2026 general election was unsuccessful. I have had no other unsuccessful candidacies for elective office, and no unsuccessful nominations for appointed office.

b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

In December 2017, I helped collect signatures so that Justice Jimmy Blacklock and Kristofer S. Monson could appear on the Republican-primary ballot for judicial elections.

16. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

2007 – 2008
Judge Thomas B. Griffith
United States Court of Appeals for the District of Columbia Circuit
Law Clerk

ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced law alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each;

2006 – 2007; 2008 – 2009
Covington & Burling LLP
One CityCenter, 850 Tenth Street, N.W.
Washington, District of Columbia 20001
Associate

Spring 2009

Antonin Scalia Law School, George Mason University
3301 Fairfax Drive
Arlington, Virginia 22201
Adjunct Professor

2009 – 2014
Office of the Attorney General of Texas
Office of the Solicitor General
209 West 14th Street, Seventh Floor
Austin, Texas 78701
Assistant Solicitor General

2014 – 2018
King & Spalding LLP
500 West 2nd Street, Suite 1800
Austin, Texas 78701
Senior Associate (2016 – 2018)
Associate (2014 – 2016)

2018 – 2025
Office of the Governor of Texas
1100 San Jacinto Boulevard, Fourth Floor
Austin, Texas 78701
General Counsel (2021 – 2025)
Deputy General Counsel (2018 – 2021)

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

i. the general character of your law practice and indicate by date when its character has changed over the years.

From 2006 to 2007, and then again from 2008 to 2009 after my clerkship ended, I handled complex civil litigation and appellate matters while in private practice at Covington & Burling LLP. I assisted with discovery, prepared legal memoranda, and drafted appellate briefs on behalf of major clients.

During the spring of 2009, I co-taught a course in Federal Courts with Ann O'Connell as an adjunct professor at George Mason Law School.

From 2009 to 2014, I served as Assistant Solicitor General in the Office of the Attorney General of Texas. In that role, I represented the State of Texas, its agencies, and its officials, usually in the United States Court of Appeals for the Fifth Circuit and in the Supreme Court of the United States.

From 2014 to 2018, I handled complex civil litigation and appellate matters while in private practice at King & Spalding LLP. I helped manage litigation, drafted critical motions, and drafted appellate briefs on behalf of major clients.

From 2018 to 2025, I served in the Office of the Governor of Texas, first as Deputy General Counsel and then as General Counsel. In those roles, I advised the Governor on a wide range of issues under both state and federal law. I also oversaw numerous litigation projects in which the Governor was an interested party. In addition, I had various management responsibilities within the Office of the Governor.

ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

From 2006 to 2007, and then again from 2008 to 2009 after my clerkship ended, I represented various companies and individuals at Covington & Burling LLP.

From 2009 to 2014, while in the Office of the Attorney General of Texas, I represented the State of Texas, its agencies, and its officials. I specialized in appellate practice, albeit in cases covering a broad array of legal issues.

From 2014 to 2018, while at King & Spalding LLP, I represented various companies and individuals.

From 2018 to 2025, I served the Governor of Texas through the Office of General Counsel.

c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

From 2006 to 2018, my practice was exclusively litigation-related. During that time, I appeared in court frequently, including fifteen oral arguments in the United States Court of Appeals for the Fifth Circuit.

From 2018 to 2025, my practice was less focused on litigation and more focused on general legal counsel. During that time, I occasionally participated in courtroom proceedings in the United States Court of Appeals for the Fifth Circuit and in the United States District Court for the Western District of Texas.

i. Indicate the percentage of your practice in:

1. federal courts: 80%
2. state courts of record: 20%
3. other courts: 0%
4. administrative agencies: 0%

ii. Indicate the percentage of your practice in:

1. civil proceedings: 95%
2. criminal proceedings: 5%

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried two cases to verdict in a court of record. In those cases, I served as chief counsel.

i. What percentage of these trials were:

1. jury: 100%
2. non-jury: 0%

e. Describe your practice, if any, before the Supreme Court of the United States. Supply copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have been counsel of record for parties in six certiorari-stage cases, some of which called for multiple filings:

Stephens v. Gongora, No. 13-592 (Dec. 31, 2013)
Stephens v. Gongora, No. 13-592 (Nov. 12, 2013)
Texas v. Harris, No. 12-726 (Apr. 26, 2013)
Texas v. Solis, No. 12-726 (Dec. 11, 2012)
Nelson v. Time Warner Cable Inc., No. 11-1236 (May 25, 2012)
Nelson v. Time Warner Cable Inc., No. 11-1236 (Apr. 12, 2012)
Thaler v. Arnold, 566 U.S. 901 (2012) (mem.) (granting the petition, vacating the judgment, and remanding to the Fifth Circuit for further consideration)
Keeter v. Thaler, No. 10-8732 (Apr. 28, 2011)
Thunderhorse v. Pierce, No. 09-1353 (Dec. 15, 2010) (CVSG response)

I have been counsel of record for *amici curiae* in five merits cases:

United States v. Skrmetti, 605 U.S. 495 (2025)
N.Y. State Rifle & Pistol Ass'n, Inc. v. Bruen, 597 U.S. 1 (2022)
Baker Botts, L.L.P. v. ASARCO LLC, 576 U.S. 121 (2015)

White v. Woodall, 572 U.S. 415 (2014)
Wood v. Milyard, 566 U.S. 463 (2012)

I have been counsel of record for *amici curiae* in four certiorari-stage cases:

S.G.E. Mgmt., L.L.C. v. Torres, No. 16-1309 (June 1, 2017)
Lazzo v. Rose Hill Bank, No. 15-995 (Mar. 4, 2016)
Wolfenbarger v. Foster, No. 12-420 (Nov. 5, 2012)
Alabama v. Lane, No. 11-627 (Dec. 21, 2011)

I have been supporting counsel (not counsel of record) for parties in six merits cases, some of which called for multiple filings:

Ocasio v. United States, 578 U.S. 282 (2016)
FERC v. Elec. Power Supply Ass'n, 577 U.S. 260 (2016)
Util. Air Regulatory Grp. v. EPA, 573 U.S. 302 (2014)
Trevino v. Thaler, 569 U.S. 413 (2013)
Gonzalez v. Thaler, 565 U.S. 134 (2012)
Sossamon v. Texas, 563 U.S. 277 (2011)

I have been supporting counsel (not counsel of record) for *amici curiae* in five merits cases:

United States v. Texas, 579 U.S. 547 (2016)
CRST Van Expedited, Inc. v. EEOC, 578 U.S. 419 (2016)
Ortiz v. Jordan, 562 U.S. 180 (2011)
Harrington v. Richter, 562 U.S. 86 (2011)
Holland v. Florida, 560 U.S. 631 (2010)

I have been supporting counsel (not counsel of record) for parties in thirteen certiorari-stage cases, some of which called for multiple filings:

TMBC, LLC v. McKeage, No. 17-1120 (Apr. 30, 2018)
TMBC, LLC v. McKeage, No. 17-1120 (Feb. 6, 2018)
Bd. of Comm'rs of Se. La. Flood Prot. Auth. v. Tenn. Gas Pipeline Co., No. 17-99 (Aug. 22, 2017)
Daiichi Sankyo Co. v. Lee, No. 15-652 (Mar. 10, 2016)
Daiichi Sankyo Co. v. Lee, No. 15-652 (Nov. 13, 2015)
Amedisys, Inc. v. Pub. Emps.' Ret. Sys. of Miss., No. 14-1200 (June 9, 2015)
Amedisys, Inc. v. Pub. Emps.' Ret. Sys. of Miss., No. 14-1200 (Mar. 30, 2015)
Texas v. EPA, No. 12-1269 (Sept. 13, 2013)
Texas v. EPA, No. 12-1269 (Apr. 19, 2013)
Thaler v. McGowen, No. 12-82 (Nov. 2, 2012)
Thaler v. McGowen, No. 12-82 (July 17, 2012)
Balentine v. Thaler, No. 10-9758 (May 13, 2011)
Thunderhorse v. Pierce, No. 19-1353 (June 7, 2010)

Carty v. Thaler, No. 09-900 (Mar. 29, 2010)
Bisby v. Crites, No. 08-10337 (Oct. 5, 2009)
Devon Energy Corp. v. Salazar, No. 08-1404 (May 14, 2009)
MuniAuction, Inc. v. Thomson Corp., No. 08-847 (Feb. 6, 2009)
Translogic Tech., Inc. v. Hitachi, Ltd., No. 08-259 (Nov. 11, 2008)

I have been supporting counsel (not counsel of record) for *amici curiae* in four certiorari-stage cases:

Herrera v. Wyoming, No. 17-532
Aquino v. Suiza Dairy, Inc., No. 10-74 (Aug. 12, 2010)
Rhine v. Deaton, No. 08-1596 (Dec. 21, 2009) (CVSG-Tex.)
Gilead Scis., Inc. v. St. Clare, No. 08-1021 (Mar. 16, 2009)

I have supplied copies of all of the briefs on which I appeared in the cases listed above.

I have not argued before the Supreme Court of the United States.

17. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

a. the date of representation;

b. the name of the court and the name of the judge or judges before whom the case was litigated; and

c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *United States v. Abbott*, No. 1:23-cv-853 (W.D. Tex.) (Ezra, J.), No. 24-50620 (5th Cir.), 117 F.4th 729; 110 F.4th 700; 92 F.4th 570; 90 F.4th 870; 87 F.4th 616; 731 F. Supp. 3d 783; 690 F. Supp. 3d 708; 2024 WL 4827489; 2024 WL 4827488; 2024 WL 3666423; 2024 WL 3665747; 2024 WL 3665746; 2024 WL 891810; 2023 WL 6532633. Dates of representation: July 24, 2023 – January 6, 2025.

The Federal Government sued Texas for deploying a buoy barrier in the Rio Grande to deter dangerous and illegal entries across its border with Mexico. The district court entered a preliminary injunction against the State under the Rivers and Harbors Appropriation Act of 1899. The *en banc* Fifth Circuit (per Willett, J., joined by Jones, Smith, Elrod, Haynes, Duncan, Engelhardt, Oldham, and Wilson, JJ., with Richman, C.J., and Ho, J., concurring in the judgment, and with King, Stewart, Southwick, Graves, Higginson, Douglas, and Ramirez, JJ., dissenting) ultimately reversed and remanded for further litigation, holding that the district court

clearly erred in finding that the buoy barrier is in a navigable stretch of the Rio Grande. In my role as General Counsel to the Governor, I coordinated Texas's litigation efforts with the Office of the Solicitor General and the Special Litigation Division and participated in courtroom proceedings.

Co-counsel

Lanora C. Pettit
[then at Office of Texas Attorney General, Office of the Solicitor General]
Office of Legal Counsel
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, District of Columbia 20530
(202) 514-2000

Ryan D. Walters
[then at Office of Texas Attorney General, Special Litigation Division]
Texas Higher Education Coordinating Board, Office of the Ombudsman
1801 Congress Avenue, Suite 12.200
Austin, Texas 78711
(512) 427-6101

Opposing counsel

Brian H. Lynk
[then at U.S. Department of Justice, Environment & Natural Resources Division]
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, Illinois 60601
(312) 673-6500

2. *United States v. Texas*, No. 1:24-cv-8 (W.D. Tex.) (Ezra, J.), No. 24-50149 (5th Cir.), Nos. 23A814 & 23A815 (U.S.), 144 S. Ct. 797 (mem.); 173 F.4th 659; 150 F.4th 656; 144 F.4th 632; 97 F.4th 268; 96 F.4th 797; 719 F. Supp. 3d 640. Dates of representation: January 3, 2024 – January 6, 2025.

The Federal Government and advocacy groups sued to challenge Senate Bill 4, which makes it a state-law crime to enter or reenter Texas from another country outside of a port of entry. The district court entered a preliminary injunction against Texas, holding Senate Bill 4 preempted under *Arizona v. United States*, 567 U.S. 387 (2012). The *en banc* Fifth Circuit (per Smith, J., joined by Elrod, C.J., and Jones, Haynes, Willett, Ho, Duncan, Engelhardt, Oldham, and Wilson, JJ., with Richman, Stewart, Southwick, Graves, Higginson, Douglas, and Ramirez, JJ., dissenting) ultimately vacated the preliminary injunction, holding that none of the parties still challenging Senate Bill 4 had Article III standing. In my role as General Counsel to the Governor, I coordinated Texas's litigation efforts with the Office of the Solicitor General and the Special Litigation Division and participated in courtroom proceedings.

Co-counsel

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University of Texas School of Law
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(512) 471-5151

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Opposing counsel

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[then at U.S. Department of Justice, Civil Division]
Wilmer Cutler Pickering Hale & Dorr LLP
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Washington, District of Columbia 20037
(202) 663-6000

3. *Texas v. DHS*, No. 2:23-cv-55 (W.D. Tex.) (Moses, C.J.), No. 24-50149 (5th Cir.), No. 23A607, 144 S. Ct. 715 (mem.); 123 F.4th 186; 88 F.4th 1127; 2023 WL 8285223. Dates of representation: October 24, 2024 – January 6, 2025.

Texas won a preliminary injunction in the Fifth Circuit (per Duncan, J., joined by Willett, J., with Ramirez, J., dissenting) to stop the Federal Government from cutting or crushing concertina-wire fencing that the State deployed to deter dangerous and illegal entries across its border with Mexico. The U.S. Supreme Court vacated the injunction, with Justices Thomas, Alito, Gorsuch, and Kavanaugh noting that they would deny the application to vacate. The case remains pending in the district court. In my role as General Counsel to the Governor, I coordinated Texas's litigation efforts with the Office of the Solicitor General and the Special Litigation Division and participated in courtroom proceedings.

Co-counsel:

Aaron L. Nielson
[then at Office of Texas Attorney General, Office of the Solicitor General]
University of Texas School of Law
727 East Dean Keeton Street
Austin, Texas 78705

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Ryan D. Walters
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4. *In re Texas House of Representatives*, 702 S.W.3d 330; 704 S.W.3d 830 (Tex. 2024) (Hecht, C.J., Lehrmann, Boyd, Devine, Blacklock, Busby, Bland, Huddle, Young, JJ.). Dates of representation: October 17, 2024 – November 15, 2024.

The Supreme Court of Texas effectively halted the execution of Roberson, a man sentenced to death for murdering his two-year-old daughter, based on a subpoena from a committee of the Texas House of Representatives. In my role as General Counsel to the Governor, I filed an amicus brief invoking the Texas Constitution's Separation-of-Powers Clause and opposing the House's eleventh-hour delay tactics.

Co-counsel

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5. *Neiman v. Bulmahn*, 854 F.3d 741 (5th Cir. 2017) (Higginbotham, Elrod, Higginson, JJ.); *Tow v. Bulmahn*, 2017 WL 4876310 (5th Cir. 2017) (Reavley, Prado, Graves, JJ.); *Firefighters Pension v. Bulmahn*, No. 2:13-cv-3935, Fed. Sec. L. Rep. (CCH) ¶ 98,598 (E.D. La. 2015). (Vance, J.). Dates of representation: March 1, 2014 – October 17, 2017.

In a string of high-value cases, I represented former officers of a Texas-based energy company forced into bankruptcy by the Deepwater Horizon disaster. I served as principal drafter of the winning motions to dismiss and appellate briefs, which ultimately defeated Exchange Act claims by a class of shareholders; fiduciary-duty claims by the bankruptcy trustee; and Securities Act claims by a class that purchased $1.5 billion in notes.

Co-counsel

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6. *Solis v. Texas*, No. 1:11-cv-469, 2012 WL 12960565 (W.D. Tex. Jan. 17, 2012) (Sparks, J.), *aff'd*, 488 F. App'x 837 (5th Cir. 2012) (King, Clement, Higginson, JJ.), *cert. denied*, 569 U.S. 993 (2013). Dates of representation: June 8, 2011 – May 20, 2013.

In 2011, the United States sued the State of Texas on behalf of state employees, claiming violations of the Fair Labor Standards Act and demanding monetary relief for named individuals. As Texas's lead counsel in the district court, the Fifth Circuit, and the U.S. Supreme Court, I invoked Supreme Court precedent to argue that the United States could not bypass state sovereign immunity by suing as a nominal party on behalf of individuals. I candidly acknowledged adverse holdings from the Fifth Circuit and adverse dicta from the Supreme Court, while preserving the nominal-party argument for *en banc* or certiorari review. The district court denied the motion to dismiss, as it was obliged to do; the Fifth Circuit affirmed; and certiorari was denied. Years later, the parties settled the case.

Co-counsel

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7. *Williams v. Thaler*, 684 F.3d 597 (5th Cir. 2012) (Jones, C.J., Davis, DeMoss, JJ.). Dates of representation: December 30, 2010 – January 8, 2013.

A district court (per Atlas, J.) granted federal habeas relief to a man who shot his victim in the face during a drug deal. His ineffective-assistance claim, which the state court had rejected, faulted trial counsel for failing to prove that the victim was already dead when he pulled the trigger. On behalf of the Texas Department of Criminal Justice, I drafted appellate briefs and presented oral argument that persuaded the Fifth Circuit to reverse under the Antiterrorism and Effective Death Penalty Act of 1996. As a result, the convicted murderer is still serving his life sentence.

Co-counsel

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8. *Tex. Pipeline Ass'n v. FERC*, 661 F.3d 258 (5th Cir. 2011) (Smith, Benavides, Haynes, JJ.). Dates of representation: January 27, 2010 – December 30, 2011.

In this administrative-law dispute, I represented the Railroad Commission of Texas in a successful bid to invalidate a FERC rule compelling intrastate pipelines to make daily Internet posts about natural gas. I drafted appellate briefs and presented oral argument, contending that the federal agency had exceeded its authority under the Natural Gas Act and the Energy Policy Act. The Fifth Circuit agreed and vacated FERC's rule, freeing dozens of Texas's intrastate pipelines from federal overreach.

Co-counsel

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9. *Nat'l Fed'n of the Blind of Tex., Inc. v. Abbott*, 647 F.3d 202 (5th Cir. 2011) (Clement, Barksdale, Prado, JJ.). Dates of representation: March 16, 2010 – September 7, 2011.

In this case, I defended the constitutionality of a Texas statute aimed at deceptive charitable

solicitation. Unbeknownst to many generous Texans, donation bins for household goods are often run by solicitors who resell the goods, pay a fraction of the proceeds to a charity for using its name on the bins, and keep the rest for profit. The Texas Legislature demanded sold-for-profit disclosures on the bins, but the district court (per Furgeson, J.) held that this violated the First Amendment. In the Fifth Circuit, I drafted appellate briefs and presented oral argument that won back key portions of the statute, in a published opinion that described me as "the able Assistant Solicitor General."

Co-counsel

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10. *Rhine v. Deaton*, 558 U.S. 811 (2009). Dates of representation: October 5, 2009 – January 25, 2010.

This parental-termination case marked the first time that the U.S. Supreme Court invited a state solicitor general to file a brief expressing the State's views. Working under then-Solicitor General James C. Ho, I helped write the so-called "CVSG" brief that averted certiorari review. The Supreme Court's unprecedented invitation was a high-profile matter for Texas's Office of the Solicitor General, confirming as it did the national prominence of state solicitors general.

Co-counsel

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18. **Legal Activities**: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

As a Justice on the Supreme Court of Texas, I am the oversight liaison for the following disciplinary entities that serve both the legal profession and the people they represent:

Texas Board of Disciplinary Appeals
Commission for Lawyer Discipline
Professional Ethics Committee
Unauthorized Practice of Law Committee
Committee on Disciplinary Rules and Referenda
Grievance Oversight Committee (abolished in 2025).

From June 2018 to January 2025, I served as Deputy General Counsel and then as General Counsel in the Office of the Governor. In that role, I provided in-house counsel to the Governor and his staff on a wide range of topics. I reviewed bills introduced in the Texas Legislature and worked with its members on the Governor's priorities, such as House Bill 19 from 2023 creating the Texas Business Court. I assisted the Governor in the judicial-appointment process by reviewing applications, interviewing candidates, and providing counsel to the Governor regarding candidates. I gave speeches on topics that are priorities for the Governor, including the rule of law and the Constitution. Finally, I served as an *ex officio* member of the Texas Access to Justice Commission, which works to close the justice gap for Texans who cannot afford legal representation.

I have never acted or registered as a lobbyist.

19. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide copies to the committee.

In the spring semester of 2009, I co-taught a course in Federal Courts with Ann O'Connell as an adjunct professor at George Mason Law School. Syllabus supplied.

20. **Deferred Income/ Future Benefits**: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

21. **Outside Commitments During Court Service**: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

No.

22. **Sources of Income**: List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding $500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

When my nomination is formally submitted to the Senate, I will file my mandated Financial Disclosure Report and supply a copy to this Committee.

23. **Statement of Net Worth**: Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest**:

a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

My wife is a partner at the law firm of Stone Hilton PLLC and a gubernatorial appointee to the Board of Regents for Texas Southern University.

If confirmed, I will recuse in any litigation where I have ever played a role. I will evaluate any other real or potential conflict, or relationship that could give rise to the appearance of a conflict, on a case-by-case basis and determine appropriate action (up to

and including recusal) with the advice of parties, their counsel, and the applicable laws, rules, canons, codes, and practices.

b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If confirmed, I will carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances.

25. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

As a sitting judge, I cannot practice law, including pro bono matters. That said, I strongly support my Court's consistent efforts to close the justice gap for Texans who cannot afford legal representation. While in private practice, I performed pro bono service in a number of appellate matters. To take one example, in *Maye v. State*, 49 So. 3d 1140 (Miss. Ct. App. 2009), I was part of the winning team in the pro bono representation of Cory Maye, a capital defendant in Mississippi. After our team overturned his death sentence on appeal and won a new trial, Maye signed a plea agreement for time served and was released from prison in 2011. To take another example, I served as supporting counsel for the merits briefing in *Ocasio v. United States*, 578 U.S. 282 (2016). To take yet another example, I served as supporting counsel for a certiorari-stage amicus brief in *Herrera v. Wyoming*, 587 U.S. 329 (2019).

26. **Selection Process**:

a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

On April 24, 2025, I interviewed with the Federal Judicial Evaluation Committee in Houston, Texas, which recommended my nomination to the United States District Court for the Western District of Texas. I interviewed in Washington, D.C. with Senator Cornyn on July 14, 2025, and with Senator Cruz on July 15, 2025. On September 30, 2026, I was contacted by the White House Counsel's Office and invited to interview for a vacancy on the United States District Court for the Western District of Texas, Austin Division. On October 14, 2026, I interviewed with attorneys from the White House

Counsel's Office in Washington, D.C. Throughout this process, I have been in contact with officials from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice.

b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AFFIDAVIT

I, James P. Sullivan, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

10/30/2026
(DATE)

(NAME)

Ann Marie Brooks 10/30/2026
(NOTARY)

ANN MARIE BROOKS
Notary Public, State of Texas
Comm. Expires 05-21-2030
Notary ID 128839505