

Senator Dick Durbin
Ranking Member, Senate Judiciary Committee
Written Questions for Courtney Leigh Coker
Nominee to be U.S. District Judge for the Northern District of Texas
September 23, 2026

1. You have served as a federal prosecutor for many years, during both Democratic and Republican Administrations. The role of the prosecutor is one that demands great care in bringing cases supported by facts and the law—without regard to partisan politics. As a result, prosecutors are usually afforded the “presumption of regularity,” meaning that judges presume that the Executive Branch’s representations about its reasons for taking a particular action are trustworthy. As First U.S. Attorney in the Northern District of Texas, you hold a leadership position and assist in developing the overall strategy and priorities of the office.

Is it harmful to line prosecutors’ efforts to hold criminals accountable when the Justice Department loses the presumption of regularity?

Response: As the First Assistant United States Attorney and as a career prosecutor with the Department of Justice, I teach new prosecutors to perform their jobs with honesty and integrity adhering to the rule of law with fidelity to the Constitution. I also teach them to bring cases supported by facts and the law and to do so with the highest ethical standards. Most importantly, I teach them to always seek justice in all that they do. The question regarding presumption of regularity may call for me to comment on a political controversy or pending litigation, which I am prohibited from doing as a judicial nominee under Canon 5 of the Code of Conduct of United States Judges.

2. You were the lead prosecutor in Operation Guard Shack, an investigation that resulted in the largest police corruption case in the FBI’s history, with over 90 police officers being charged with federal crimes. The U.S. Attorney’s Office for the District of Puerto Rico and the U.S. Department of Justice’s Public Integrity Section (PIN) jointly litigated the cases arising from this indictment.

PIN has been reduced from approximately 30 prosecutors at the end of the Biden Administration to only two attorneys. There was a longstanding requirement that prosecutions of public officials be reviewed by PIN’s career prosecutors to ensure that they are not politically motivated, but former Attorney General Bondi reportedly eliminated this requirement. This is particularly alarming because President Trump has called for the prosecution of a number of public officials based on his political disagreements with them.

- a. **Do you agree that PIN prosecutors should review prosecutions of public officials?**

Response: I am not familiar with the reasons underlying the management decisions made by former Attorney General Bondi regarding PIN nor have I ever worked or had any experience with the personnel decisions in that section. For those reasons, I believe it would be inappropriate for me to comment on the work PIN should or should not perform. Further, as a judicial nominee, it would be inappropriate for me to comment about a policy matter, which I am prohibited from doing under Canon 5 of the Code of Conduct for United States Judges.

b. Do you believe there is value in PIN being involved in these prosecutions?

Response: Please see my response to Question 2.a.

- 3. Officials within the Trump Administration, including then-Acting Deputy Attorney General Emil Bove and then-Interim U.S. Attorney Ed Martin, fired Assistant U.S. Attorneys who had been assigned to investigate and prosecute cases against defendants accused of committing crimes arising out of the January 6 attack on the Capitol.**

Do you believe that apolitical, career civil servants should be terminated simply because they were assigned to work on certain matters?

Response: I am not familiar with the reasons underlying personnel decisions described above, and it would be inappropriate for me to comment on the management decisions made by other Department of Justice offices. Further, this question likely calls for me to issue what could be construed as a political comment, which I am prohibited from doing as a judicial nominee under the Code of Conduct of United States Judges, Canon 5.

4. Did President Trump lose the 2020 election?

Response: Based on the public certification of the votes of the state electors during a joint session of Congress, President Biden won the majority of the Electoral College votes and was sworn in and served as the 46th President of the United States.

5. Where were you on January 6, 2021?

Response: Dallas, Texas.

6. Do you denounce the January 6 insurrection?

Response: I denounce violence of any kind. The characterization of the violence and trespass at the United States Capitol on January 6, 2021, as an “insurrection” is a matter of political debate. As a judicial nominee, under the Code of Conduct for United States Judges, it would be inappropriate for me to address this issue.

7. Do you believe that January 6 rioters who were convicted of violent assaults on police officers should have been given full and unconditional pardons?

Response: The Constitution empowers the President to issue pardons. The Judicial Branch has no role in this process. Under the Code of Conduct for United States Judges, it would be inappropriate for me to weigh in any further on this topic.

8. The Justice Department is currently defending the Trump Administration in a number of lawsuits challenging executive actions taken by the Administration. Federal judges—both Republican and Democratic appointees—have enjoined some of these actions, holding that they are illegal or unconstitutional. Alarming, President Trump, his allies, and even some nominees before the Senate Judiciary Committee have responded by questioning whether the executive branch must follow court orders.

a. What options do litigants—including the executive branch—have if they disagree with a court order?

Response: In general, a party should seek appellate review of a lower court order it believes to be unlawful.

b. Do you believe a litigant can ever lawfully defy an order from a lower federal court? If yes, in what circumstances?

Response: Generally, a litigant must follow court orders issued in the proceedings to which they are a party. However, the Supreme Court has acknowledged that, in some circumstances, an order must be violated in order to be appealed. As Justice Sotomayor’s first Supreme Court opinion explained, “Another long-recognized option is for a party to defy a disclosure order and incur court-imposed sanctions.” *Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 111 (2009). Some legal scholarship has identified other limited situations in which compliance may not be required. *See generally, e.g.*, William Baude, *The Judgment Power*, 96 Geo. L.J. 1807 (2008) (lack of jurisdiction); Gary Lawson & Christopher D. Moore, *The Executive Power of Constitutional Interpretation*, 81 Iowa L. Rev. 1267, 1326 (1996) (constitutional error “so clear that it is not open to rational question”); *see also* 17 Corpus Juris Secundum Contempt §§ 56-65 (discussing contempt defenses).

c. Under the separation of powers, which branch of the federal government is responsible for determining whether a federal court order is lawful?

Response: Article III of the U.S. Constitution states that “[t]he judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish,” and that this power “shall extend to all Cases, in Law and Equity, arising under the Constitution” or other federal laws, among other “Cases” and “Controversies.”

9. District judges have occasionally issued non-party injunctions, which may include “nationwide injunctions” and “universal injunctions.”

a. Are non-party injunctions constitutional?

Response: The United States Supreme Court recently addressed the constitutionality of non-party injunctions in *Trump v. CASA, Inc.*, 606 U.S. 831 (2025). If confirmed, I would follow that and any other relevant binding precedent.

b. Are non-party injunctions a legitimate exercise of judicial power?

Response: Please see my response to Question 9.a.

c. Is it ever appropriate for a district judge to issue a non-party injunction? If so, under what circumstances is it appropriate?

Response: Please see my response to Question 9.a.

d. As a litigator, have you ever sought a non-party injunction as a form of relief? If so, please list each matter in which you have sought such relief.

Response: No.

10. At any point during your selection process, did you have any discussions with anyone—including individuals at the White House, the Justice Department, or any outside groups—about loyalty to President Trump? If so, please provide details.

Response: No.

11. Does the U.S. Constitution permit a president to serve three terms?

Response: The Twenty-Second Amendment to the United States Constitution provides that “[n]o person shall be elected to the office of the President more than twice.”

12. On May 26, 2025, in a Truth Social post, President Trump referred to some judges whose decisions he disagrees with, as “USA HATING JUDGES” and “MONSTERS”, who “...SUFFER FROM AN IDEOLOGY THAT IS SICK, AND VERY DANGEROUS FOR OUR COUNTRY...”¹

a. Do you agree that these federal judges are “USA HATING” and “MONSTERS” who “...SUFFER FROM AN IDEOLOGY THAT IS SICK, AND VERY DANGEROUS FOR OUR COUNTRY...”?

Response: As a judicial nominee, it would not be appropriate for me to comment on matters that are the subject of pending litigation and political debate, on statements by an elected official or political figure, or on the decision-making

¹ Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (May 26, 2025, 7:22 AM), <https://truthsocial.com/@realDonaldTrump/posts/114573871728757682>.

process of another judge. See Code of Conduct for United States Judges, Canons 3 & 5.

b. Do you believe this rhetoric endangers the lives of judges and their families?

Response: Please see my response to Question 12.a.

13. In addition to the President’s own attacks on judges, his adviser Stephen Miller took to social media to call a federal trade court’s ruling against President Trump’s tariffs a “judicial coup”² and later reposted the images of the three judges who decided the case and wrote, “we are living under a judicial tyranny.”³

a. Do you agree that these judges are engaged in a “judicial coup” and that “we are living under a judicial tyranny”?

Response: Please see my response to Question 12.a.

b. Do you believe this rhetoric endangers the lives of judges and their families?

Response: Please see my response to Question 12.a.

c. Would you feel comfortable with any politician or their adviser sharing a picture of you on social media if you issue a decision they disagree with?

Response: If fortunate enough to be confirmed, I understand that my decisions will be subject to public scrutiny, including the possibility that my picture will end up on social media. My decisions would not be influenced by the prospect of or any such criticism.

14. When, if ever, may a lower court depart from Supreme Court precedent?

Response: It is never appropriate for a lower court to depart from Supreme Court precedent.

15. When, in your opinion, would it be appropriate for a circuit court to overturn its own precedent?

Response: If I am fortunate enough to be confirmed as a district court judge, I will not be in a position to overturn or consider overturning circuit court precedent. The Fifth Circuit may choose to revisit or overturn its own precedent by convening *en banc*.

16. When, in your opinion, would it be appropriate for the Supreme Court to overrule its own precedent?

² Stephen Miller (@StephenM), X, (May 28, 2025, 7:48 PM), <https://x.com/StephenM/status/1927874604531409314>.

³ Stephen Miller (@StephenM), X, (May 29, 2025, 8:25 AM), <https://x.com/StephenM/status/1928065122657845516>.

Response: The United States Supreme Court has set forth factors for overruling its own precedent. See, e.g., *Dobbs v. Jackson Women's Health Org.*, 597 U.S. 215 (2022).

17. Please answer yes or no as to whether the following cases were correctly decided by the Supreme Court:

- a. *Brown v. Board of Education*
- b. *Plyler v. Doe*
- c. *Loving v. Virginia*
- d. *Griswold v. Connecticut*
- e. *Trump v. United States*
- f. *Dobbs v. Jackson Women's Health Organization*
- g. *New York State Rifle & Pistol Association, Inc. v. Bruen*
- h. *Obergefell v. Hodges*
- i. *Bostock v. Clayton County*
- j. *Masterpiece Cakeshop v. Colorado*
- k. *303 Creative LLC v. Elenis*
- l. *United States v. Rahimi*
- m. *Loper Bright Enterprises v. Raimondo*

Response to Question 16a.-m.: As many judicial nominees across administrations have stated, it generally is not appropriate for a judicial nominee to offer personal views on the merits or reasoning of a particular decision of the United States Supreme Court. The two recognized exceptions are *Brown v. Board of Education* and *Loving v. Virginia*, which were correctly decided. If confirmed, all decisions of the United States Supreme Court would be binding on me, and I would faithfully apply them.

18. With respect to constitutional interpretation, do you believe judges should rely on the “original meaning” of the Constitution?

Response: With respect to constitutional interpretation, lower court judges should first look to binding precedent. If there is no applicable binding precedent, a district court judge should follow the methods of constitutional interpretation as established by the United States Supreme Court and the applicable court of appeals, which varies based on context. By way of example, the Supreme Court has considered the original public meaning in interpreting parts of the Sixth Amendment, *see, e.g., Crawford v. Washington*, 541 U.S. 36 (2004), but has adopted a different approach in interpreting parts of the Eighth Amendment, *see, e.g., Roper v. Simmons*, 543 U.S. 551 (2005).

19. How do you decide when the Constitution’s “original meaning” should be controlling?

Response: Please see my response to Question 18.

20. Does the “original meaning” of the Constitution support a constitutional right to same-sex marriage?

Response: In *Obergefell v. Hodges*, 576 U.S. 644 (2015), the United States Supreme Court recognized a constitutional right to same-sex marriages.

21. Does the “original meaning” of the Constitution support the constitutional right to marry persons of a different race?

Response: In *Loving v. Virginia*, 388 U.S. 1 (1967), the United States Supreme Court recognized a constitutional right to marry persons of a different race.

22. What is your understanding of the Equal Protection and Due Process clauses of the Fourteenth Amendment?

Response: The Fourteenth Amendment to the United States Constitution provides: “nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” There is a large and developed body of precedent on these provisions of the Constitution, which, if I am fortunate enough to be confirmed, I would be bound to this precedent.

23. How do these clauses apply to individuals that the Framers of the amendment likely did not have in mind, such as women? Or LGBTQ+ individuals?

Response: The United States Supreme Court has applied these clauses to protect against discrimination based on sex, *see, e.g., United States v. Virginia*, 518 U.S. 515 (1996), and sexual orientation, *see, e.g., Romer v. Evans*, 517 U.S. 620 (1996); *Lawrence v. Texas*, 539 U.S. 558 (2003); *Obergefell v. Hodges*, 576 U.S. 644 (2015).

24. Do you believe that judges should be “originalist” and adhere to the original public meaning of constitutional provisions when applying those provisions today?

Response: Please see my response to Question 18.

25. If so, do you believe that courts should adhere to the original public meaning of the Foreign Emoluments Clause when interpreting and applying the Clause today?

Response: Please see my response to Question 18. To the extent this question calls for a response that could be seen as opining on political matters or potential future cases, I cannot provide such an answer consistent with my ethical obligations as a judicial nominee under the Code of Conduct of United States Judges, Canons 3(A)(6) & 5.

26. Under the U.S. Constitution, who is entitled to First Amendment protections?

Response: The First Amendment states: “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” If I am confirmed as a district court judge, I would faithfully apply the relevant and governing First Amendment precedent of

the Supreme Court and the Fifth Circuit.

27. How would you determine whether a law that regulates speech is “content-based” or “content-neutral”? What are some of the key questions that would inform your analysis?

Response: Several recent Supreme Court cases have addressed speech and whether it is “content-based” or “content-neutral,” including *TikTok Inc. v. Garland*, 604 U.S. 56 (2025), among others. According to the Supreme Court, “[c]ontent-based laws—those that target speech based on its communicative content—are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests.” *Id.* at 70 (quoting *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015)). “Content-neutral laws, in contrast, ‘are subject to an intermediate level of scrutiny because in most cases they pose a less substantial risk of excising certain ideas or viewpoints from the public dialogue.’” *Id.* (quoting *Turner Broadcasting System, Inc. v. FCC*, 512 U.S. 622, 641 (1994)). If fortunate enough to be confirmed, I will apply the precedent of the Supreme Court and the Fifth Circuit in determining whether a law that regulates speech is “content-based” or “content-neutral.”

28. What is the standard for determining whether a statement is protected speech under the true threats doctrine?

Response: The Supreme Court has held that “[t]rue threats’ of violence” are not protected by the Free Speech Clause. *Counterman v. Colorado*, 600 U.S. 66, 74 (2023). “True threats are serious expressions conveying that a speaker means to commit an act of unlawful violence.” *Id.* (quotation marks and brackets omitted). If fortunate to be confirmed, I would faithfully apply these and other precedents regarding the true threat doctrine.

29. Is every individual within the United States entitled to due process?

Response: The United States Supreme Court has held that “the Due Process Clause applies to all ‘persons’ within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). If confirmed, I would follow all binding Supreme Court and Fifth Circuit precedent on this topic.

30. Can U.S. citizens be transported to other countries for the purpose of being detained, incarcerated, or otherwise penalized?

Response: As a judicial nominee, it would be inappropriate for me to comment on a matter that is the subject of pending litigation. See Code of Conduct for United States Judges, Canon 3.

31. The Fourteenth Amendment states: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”

a. Is every person born in the United States a citizen under the Fourteenth Amendment?

Response: In a recent Supreme Court decision in *Trump v. Barbara*, 146 S. Ct. 2438, 2450 (2026), the Court held that the Fourteenth Amendment’s Citizenship Clause guarantee’s birthright citizenship to children born on United States soil, even if their parents are unlawfully or temporarily present in the country. If fortunate enough to be confirmed as a federal district judge, I would be bound to apply this binding precedent.

b. Is the citizenship or immigration status of the parents of an individual born in the United States relevant for determining whether the individual is a citizen under the Fourteenth Amendment?

Response: Please see my response to Question 31.a.

32. Do you believe that demographic and professional diversity on the federal bench is important? Please explain your views.

Response: Yes, I believe it is important for judges from all demographics to be considered equally for positions in the judiciary and for no one to be excluded on the basis of any protected characteristic.

33. The bipartisan *First Step Act of 2018*, which was signed into law by President Trump, is one of the most important pieces of criminal justice legislation to be enacted during my time in Congress. At its core, the Act was based on a few key, evidence-based principles. First, incarcerated people can and should have meaningful access to rehabilitative programming and support in order to reduce recidivism and help our communities prosper. Second, overincarceration through the use of draconian mandatory minimum sentences does not serve the purposes of sentencing and ultimately causes greater, unnecessary harm to our communities. With these rehabilitative principles in mind, one thing Congress sought to achieve through this Act was giving greater discretion to judges—both before and after sentencing—to ensure that the criminal justice system effectively and efficiently fosters public safety for the benefit of all Americans.

a. How do you view the role of federal judges in implementing the *First Step Act*?

Response: It is the role of a federal judge to faithfully, fairly, and impartially apply all laws, including the First Step Act. The federal judge’s role in the First Step Act is to act as a gatekeeper for sentencing reductions and compassionate release motions. The First Step Act also expanded the federal “safety valve”

statute and allowed federal judges to look at a defendant's limited criminal background and choose a sentence below the mandatory minimum if they believe the statutory penalty is too great for that specific individual.

- b. Will you commit to fully and fairly considering the individualized circumstances of each defendant who comes before you when imposing sentences to ensure that they are properly tailored to promote the goals of sentencing and avoid terms of imprisonment in excess of what is necessary?**

Response: If I am fortunate enough to be confirmed as a district judge, every sentence I would impose would be the product of an individualized assessment, based on the unique facts and circumstances of each defendant, and would be determined in accordance with the sentencing factors set forth in 18 U.S.C. § 3553(a).

- 34. The Federalist Society seeks to “reorder[] priorities within the legal system to place a premium on individual liberty, traditional values, and the rule of law.”**

- a. In your Questionnaire, you state that you are currently or were previously a member of the Federalist Society. What is your understanding of “traditional values”?**

Response: I am not familiar with that statement or its context.

- b. President Trump wrote on Truth Social that the Federalist Society gave him “bad advice” on “numerous Judicial Nominations.” He also wrote that Leonard Leo is a “sleazebag” who “probably hates America.” If you are not familiar with this post, please refer to it in the footnote.⁴**

- i. Do you agree with President Trump that the Federalist Society provided President Trump with bad advice during his first term? Why or why not?**

Response: As a judicial nominee, it would not be appropriate for me to comment on the statements of elected officials and political figures or on matters of public debate. See Code of Judicial Conduct for United States Judges, Canon 5.

- ii. Do you agree with President Trump that Leo is a sleazebag who probably hates America? Why or why not?**

Response: Please see my response to Question 34.b.i.

⁴ Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (May 29, 2025, 8:10 PM), <https://truthsocial.com/@realDonaldTrump/posts/114593880455063168>.

iii. If you are confirmed, do you plan to remain affiliated with the Federalist Society?

Response: Yes.

c. During your selection process, have you spoken to or corresponded with any individuals associated with the Federalist Society, including Leonard Leo or Steven G. Calabresi? If so, please provide details of those discussions.

Response: No.

d. Have you ever been asked to and/or provided services to the Federalist Society, including research, analysis, advice, speeches, or appearing at events?

Response: No.

e. Have you ever been paid honoraria by the Federalist Society? If so, how much were you paid, and for what services?

Response: No.

35. The Teneo Network states that its purpose is to “Recruit, Connect, and Deploy talented conservatives who lead opinion and shape the industries that shape society.”

a. During your selection process, have you spoken to or corresponded with any individuals associated with the Teneo Network, including Leonard Leo? If so, please provide details of those discussions.

Response: No.

b. Have you ever been asked to and/or provided services to the Teneo Network, including research, analysis, advice, speeches, or appearing at events?

Response: No.

c. Have you ever been paid honoraria by the Teneo Network? If so, how much were you paid, and for what services?

Response: No.

36. The Heritage Foundation states that its mission is to “formulate and promote public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense.” Heritage Action, which is affiliated with the Heritage Foundation, seeks to “fight for conservative policies in Washington, D.C. and in state capitals across the country.”

- a. **During your selection process, have you spoken to or corresponded with any individuals associated with the Heritage Foundation or Heritage Action, including Kevin D. Roberts? If so, please provide details of those discussions.**

Response: No.

- b. **Have you ever been asked to and/or provided services to the Heritage Foundation or Heritage Action, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. **Were you ever involved in or asked to contribute to Project 2025 in any way?**

Response: No.

- d. **Have you ever been paid honoraria by the Heritage Foundation or Heritage Action? If so, how much were you paid, and for what services?**

Response: No.

37. The America First Policy Institute (AFPI) states that its “guiding principles are liberty, free enterprise, national greatness, American military superiority, foreign-policy engagement in the American interest, and the primacy of American workers, families, and communities in all we do.”

- a. **During your selection process, have you spoken to or corresponded with any individuals associated with AFPI? If so, please provide details of those discussions.**

Response: No.

- b. **Have you ever been asked to and/or provided services to AFPI, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. **Have you ever been paid honoraria by AFPI? If so, how much were you paid, and for what services?**

Response: No.

38. The America First Legal Institute (AFLI) states that it seeks to “oppose the radical left’s anti-jobs, anti-freedom, anti-faith, anti-borders, anti-police, and anti-American crusade.”

- a. **During your selection process, have you spoken to or corresponded with any individuals associated with AFLI, including Stephen Miller, Gene Hamilton, or Daniel Epstein? If so, please provide details of those discussions.**

Response: No.

- b. **Have you ever been asked to and/or provided services to AFLI, including but not limited to research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. **Have you ever been paid honoraria by AFLI? If so, how much were you paid, and for what services?**

Response: No.

39. The Article III Project is an organization which claims that, “The left is weaponizing the power of the judiciary against ordinary citizens.”

- a. **During your selection process, have you spoken to or corresponded with any individuals associated with the Article III Project, including Mike Davis, Will Chamberlain, or Josh Hammer? If so, please provide details of those discussions.**

Response: No.

- b. **Have you ever been asked to and/or provided services to the Article III Project, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. **Have you ever been paid honoraria by the Article III Project? If so, how much were you paid, and for what services?**

Response: No.

40. The Alliance Defending Freedom (ADF) states that it is “the world’s largest legal organization committed to protecting religious freedom, free speech, the sanctity of life, marriage and family, and parental rights.”

- a. **During your selection process, have you spoken to or corresponded with any individuals associated with ADF? If so, please provide details of those discussions.**

Response: No.

- b. Have you ever been asked to and/or provided services to ADF, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. Have you ever been paid honoraria by ADF? If so, how much were you paid, and for what services?**

Response: No.

41. The Concord Fund, also known as the Judicial Crisis Network, states that it is committed “to the Constitution and the Founders’ vision of a nation of limited government; dedicated to the rule of law; with a fair and impartial judiciary.” It is affiliated with the 85 Fund, also known as the Honest Elections Project and the Judicial Education Project.

- a. During your selection process, have you spoken to or corresponded with any individuals associated with these organizations, including Leonard Leo or Carrie Severino? If so, please provide details of those discussions.**

Response: No.

- b. Have you ever been asked to and/or provided services to these organizations, including research, analysis, advice, speeches, or appearing at events?**

Response: No.

- c. Have you ever been paid honoraria by these organizations? If so, how much were you paid, and for what services?**

Response: No.

- d. Do you have any concerns about outside groups or special interests making undisclosed donations to front organizations like the Concord Fund or 85 Fund in support of your nomination? Note that I am not asking whether you have solicited any such donations, I am asking whether you would find such donations to be problematic.**

Response: I have no knowledge of anyone making any donations to any person or group in support of my nomination, and any such donations will not impact my work as a judge if I am fortunate enough to be confirmed.

- e. If you learn of any such donations, will you commit to call for the undisclosed donors to make their donations public so that if you are confirmed you can have this information when you make decisions about recusal in cases that these donors may have an interest in?**

Response: As a judicial nominee, it would not be appropriate for me to comment on whether any such donations should be made public. If confirmed and faced with this issue, I would evaluate conflicts and recusal issues with reference to 28 U.S.C. § 455, the Code of Conduct for United States Judges, and all other applicable laws, regulations, and rules. Additionally, I am committed to the principal of an impartial judiciary, and, if I am confirmed, I will apply the law impartially.

f. Will you condemn any attempt to make undisclosed donations to the Concord Fund or 85 Fund on behalf of your nomination?

Response: Please see my answers to Question 41.e.

Senate Judiciary Committee
Hearing on Nominations
September 16, 2026
Questions for the Record
Senator Amy Klobuchar

For Courtney Coker, to be U.S. District Judge for the Northern District of Texas

In 2022, you prosecuted a defendant charged with shooting at his ex-girlfriend and her children while they stood in their front yard. For nearly a decade, I led the effort to close the boyfriend loophole and prevent dating partners convicted of domestic violence from buying or owning a gun. I am currently working on legislation to keep guns out of the hands of convicted stalkers.

In 2024, the Supreme Court in an 8-1 decision reversed a Fifth Circuit decision which struck down the federal law disarming domestic abusers subject to restraining orders.

- What is your understanding of the ability of Congress to craft bipartisan gun violence prevention legislation following the Court's decision in *Rahimi*?

Response: As a judicial nominee, I believe it would be improper for me to express a definitive view on any law that is being considered by Article I's legislative branch. Analyzing a hypothetical law could be considered a premature legal decision that would be improper under the Code of Conduct for United States Judges.

- Do you believe that the Constitution empowers Congress to address the dangers caused by guns in the hands of domestic abusers?

Response: Yes.

**Nomination of Courtney Coker
to the United States District Court for the Northern District of Texas
Questions for the Record
Submitted September 22, 2026**

QUESTIONS FROM SENATOR COONS

1. Do you believe that the Senate Judiciary Committee has a responsibility to evaluate judicial nominees to the best of its ability, including by asking questions on the record to make each nominee's unique background and viewpoint clear to the American people?

Response: Yes, the Constitution vests the Senate with the power of advice and consent for judicial nominations. U.S. Const., art. II, § 2.

2. Do you believe that you, as a judicial nominee, have a responsibility to the American people to give full and complete answers to the Committee's questions to the best of your ability and in good faith?

Response: Yes, within the parameters of the Code of Conduct of United States Judges.

3. Do you believe you fulfilled this responsibility with the answers you have provided to my questions for the record?

Response: Yes.

- a. Did you receive assistance from staff in the White House, the Department of Justice, or any other organization in writing your responses to these questions? If so, from whom did you receive assistance and what was the nature of the assistance you received?

Response: I personally prepared a draft response to these questions after consulting my records, legal precedent, and responses addressing similar questions submitted by other judicial nominees. After receiving limited feedback from the Office of Legal Policy at the United States Department of Justice, I finalized my answers based on my own judgment and authorized the answers to be submitted to the Senate Judiciary Committee.

- b. Do you believe it is appropriate for a nominee to answer my questions for the record with the verbatim answers of previous nominees who answered the same questions?

Response: As a nominee, it is appropriate to answer questions for the record honestly and to the best of my ability. Reviewing the answers of previous nominees can sometimes be helpful in understanding the questions as asked. I do not believe answering your questions for the record with the same answers

submitted by previous judicial nominees would be improper as long as those answers are accurate and truthful.

- c. Did you review the answers to my questions for the record submitted by previous judicial nominees before answering these questions?

Response: Yes.

- d. To your knowledge, are any of your answers to these questions for the record exact duplicates of answers provided by previous nominees?

Response: With the exception of yes or no responses, I am not aware of any of my answers being duplicates of other nominees' answers. If there is duplication, if both nominees agree with the answers, I do not believe that is inappropriate.

- 4. At any point during the process that led to your nomination, did you make any representations or commitments to anyone—including but not limited to individuals at the White House, at the Justice Department, or at outside groups—as to how you would handle a particular case or matter if confirmed? If so, explain fully.

Response: No.

- a. At any point during the process that led to your nomination, were you asked about your opinion on any cases that involve President Trump or the Trump administration?

Response: No.

- 5. In your Senate Judiciary Questionnaire, you note that President Trump called you on August 18, 2026, to inform you that he planned to nominate you to a judgeship.

- a. How long did the call last?

Response: Approximately a minute and a half.

- b. What topics or issues were discussed?

Response: The President called and told me that he planned to nominate me to the federal court and indicated that he had been given strong recommendations about my nomination from both Senator Cruz and Senator Cornyn. The President also congratulated me and my family and wished me well in the future.

- c. Other than you and President Trump, did anyone else join the call? If so, who?

Response: No.

6. When it comes to conducting yourself ethically, who in the legal profession do you see as a role model?

Response: During my eighteen and a half years at the Department of Justice, I have been fortunate to have numerous senior attorneys in each district where I served as role models with the highest ethical standards. Getting to work in a department full of public servants who always seek justice and where ethical considerations are always at the forefront of every decision made has been truly rewarding.

7. How would you describe your judicial philosophy?

Response: My judicial philosophy is originalism and textualism. As a district judge, I would always attempt to interpret constitutional texts viewing the words of the text as they would have been understood by a reasonable ordinary citizen at the time the provision was ratified. When looking at legislative text, as a textualist, I would also look at the plain meaning of the text as it is written focusing on how an ordinary person would have understood them at the time that specific text was passed. It also means that I must set aside my personal views in all cases, and decide those cases based on the facts and the law alone. Finally, I also understand that, as a district judge, I must apply binding precedent, even if that precedent is one with which I personally disagree.

8. With respect to substantive due process, what factors do you look to when a case requires you to determine whether a right is fundamental and protected under the Fourteenth Amendment?

Response: If fortunate enough to be confirmed as a federal district judge, I would apply binding precedent of the United States Supreme Court and the United States Court of Appeals for the Fifth Circuit to determine whether a right is fundamental and protected under the Fourteenth Amendment.

- a. Would you consider whether the right is expressly enumerated in the Constitution?

Response: Yes, and I would faithfully follow all Supreme Court and Fifth Circuit precedent on interpretation of a constitutional provision.

- b. Would you consider whether the right is deeply rooted in this nation's history and tradition? If so, what types of sources would you consult to determine whether a right is deeply rooted in this nation's history and tradition?

Response: Yes, I would consider whether a right is "deeply rooted in this Nation's history and tradition." If the Supreme Court or the Fifth Circuit determined that a right is deeply rooted in this Nation's history, then I would apply that precedent faithfully. If neither the Supreme Court nor the Fifth Circuit has expressly identified a right, I would look to the types of sources on which the Supreme Court and Fifth Circuit have relied. For example, recently in *Dobbs v. Jackson*

Women's Health Organization, the Supreme Court looked at state laws criminalizing abortion that existed at the time the Fourteenth Amendment was ratified. 597 U.S. 215, 231, 248-49 (2022). Earlier, in *Timbs v. Indiana*, the Supreme Court examined the Magna Carta, colonial-era laws, and state constitutions at the time the Fourteenth Amendment was ratified. 586 U.S. 146, 151-152 (2019). These are just examples, and if confirmed, I would carefully review the arguments made by the parties before me and evaluate any relevant Supreme Court or Fifth Circuit precedent about what sources are probative.

- c. Would you consider whether the right has previously been recognized by Supreme Court or circuit precedent? What about the precedent of another court of appeals?

Response: I would consider whether the right has previously been recognized by precedent of the United States Supreme Court or the Fifth Circuit, as the precedents of those courts would be binding on me. I would consider the precedents of other courts of appeals as persuasive authority.

- d. Would you consider whether a *similar* right has previously been recognized by Supreme Court or circuit precedent? If so, how does the existence of a similar right impact your analysis?

Response: Yes, I would consider whether a similar right has previously been recognized by Supreme Court or Fifth Circuit precedent but believe it would be inappropriate under the Code of Conduct of United States Judges, to forecast how the existence of a similar right would impact any further analysis.

- e. What other factors would you consider?

Response: I would consider any other relevant legal or factual information presented to me by the parties before me.

- 9. The 22nd Amendment states: "No person shall be elected to the office of the President more than twice."

- a. Was President Trump elected to the office of the President twice?

Response: Yes.

- b. If President Trump were elected again in 2028, how many times in total would he have been elected to the office of the President?

Response: Three.

- c. Is President Trump eligible to be elected President for a third term in 2028?

Response: No.

10. If Congress certifies a candidate as being the winner of a presidential election, does that mean that the candidate won the election? If not, what does it mean?

Response: Pursuant to the process set forth in Article II and the Twelfth Amendment of the Constitution, if a candidate is certified as being the winner of a presidential election, then that person becomes the President.

11. At your hearing, Senator Blumenthal asked you who won the 2020 election. You echoed fellow nominee Daniel Ballou's response that "Joe Biden was certified the winner of the 2020 election."

- a. In advance of the hearing, did you prepare a potential answer or set of answers to question(s) you might receive related to who won the 2020 election? If so, what information or sources did you use to develop your answer(s)?

Response: Before my hearing, I viewed previous nomination hearings online and noticed that the same question had been asked of most nominees. I reviewed Article II and the Twelfth Amendment of the Constitution. I reviewed the Code of Conduct for United States Judges. I also observed statements made by members of the Senate Judiciary Committee about the answers given by previous nominees. After all these considerations, I prepared my answers to anticipated questions.

- b. Prior to the hearing, did anyone instruct, suggest, imply, or otherwise represent that you should avoid directly answering questions about who won the 2020 election? If so, please explain. If not, please explain how you, without any outside input, made the decision to reply with who was *certified* the winner when asked about who *won* the 2020 election.

Response: No. Please see my response to Question 11.a.

- c. Do you believe that you would face any adverse professional consequences if you directly stated, during your hearing or otherwise on the record, that President Trump lost the 2020 election, or that President Biden won the 2020 election? Please explain.

Response: No.

12. The *New York Times* reported that on March 25, 2026, President Trump stated the following at a National Republican Congressional Committee event: "The time has also come for Republicans to pass a tough new crime bill that imposes harsh penalties for dangerous repeat offenders, cracks down on rogue judges. We got rogue judges that are criminals. They are criminals, what they do to our country. The decisions that they hand down and hurt our country."

- a. Is it a crime for a judge to rule against President Trump’s desired outcome in a particular case?

Response: I am not aware of any law that makes it a crime for a judge to rule against any party in any case, including President Trump. Pursuant to the Code of Conduct for United States Judges, Canon 5, it would be inappropriate as a judicial nominee to comment any further on the political statements of public figures or the subject of political controversy.

- b. Do you think that judges ruling against President Trump’s desired outcome should be “crack[ed] down on”?

Response: Pursuant to the Code of Conduct for United States Judges, it would be inappropriate as a judicial nominee to comment on the political statements of public figures or the subject of political controversy.

- c. Is it possible for a judge’s decision to be correct, as a matter of fact and law, even if it differs from President Trump’s desired outcome?

Response: Yes.

- d. Do you agree with President Trump that we need a “tough new crime bill” that “cracks down on rogue judges”?

Response: Please see my response to Question 12.b.

- e. Do you think that rhetoric like the example quoted above could discourage a judge from ruling against President Trump’s desired outcome?

Response: Please see my response to Question 12.b.

- f. If you were confirmed and you ruled against President Trump’s desired outcome in a case, would you consider yourself a “rogue judge[]” and a “criminal[]”?

Response: Please see my response to Question 12.b.

- g. Do you think statements like those made by President Trump quoted above make federal judges more or less safe?

Response: Please see my response to Question 12.b.

- 13. Under 28 U.S.C. § 455, “[a]ny justice, judge, or magistrate judge of the United States shall disqualify [themselves] in any proceeding in which [their] impartiality might reasonably be questioned.” As a general matter, what criteria would you use when deciding whether to recuse yourself from a case?

Response: If confirmed, I would follow the requirements set forth in 28 U.S.C. § 455, the Code of Conduct for United States Judges, and any other applicable laws or rules.

14. I have been proud to co-lead the bipartisan *Safer Supervision Act*, a bill to reform our federal supervised release system that has received substantial conservative and law enforcement support. The premise of the bill is that our federal supervision system has strayed far from how Congress designed it, as courts impose it mechanically in essentially every case, which means that probation officers do not have time to properly supervise those who most need it. The bill reinforces courts' existing obligations under 18 U.S.C. §§ 3553 and 3583 to impose supervision as warranted by the individual facts of the case and encourages more robust use of early termination when warranted to provide positive incentives encouraging rehabilitation. At the encouragement of a bipartisan group of members of Congress, the U.S. Sentencing Commission adopted an amendment to supervision guidelines implementing certain parts of the bill; this amendment went into effect on November 1.

- a. As a sentencing judge, would you endeavor to impose supervision thoughtfully and on the basis of the individual facts of the case consistent with 18 U.S.C. § 3553 and 18 U.S.C. § 3583?

Response: Yes.

- b. Would you agree that the availability of early termination under 18 U.S.C. § 3583(e)(1) can provide individuals positive incentives to rehabilitate?

Response: Congress has determined that “terminat[ing] a term of supervised release” early can in certain circumstances serve “the interest of justice,” which could include providing an incentive for individuals to rehabilitate. 18 U.S.C. § 3583(e)(1).

- c. Will you commit if confirmed to reviewing the *Safer Supervision Act* and the recent Sentencing Commission amendment and considering them as you develop your approach to sentencing of supervised release?

Response: Yes.

15. If you had to determine whether it is appropriate for the President of the United States to punish a law firm for taking on a client that the President did not like, what process would you use to perform that analysis? I assume you would faithfully follow binding precedent, but what specific precedents and/or other sources of law would you look to?

Answer: As a judicial nominee, it would not be appropriate for me to give an opinion on this matter as it concerns matters of political controversy and legal matters that could come before me. *See* Code of Conduct for United States Judges.

16. Do you agree that the constitutional right to travel across state lines is fundamental and well established?

Response: In *United States v. Guest*, the Supreme Court explained that the “constitutional right to travel from one State to another... occupies a position fundamental to the concept of our Federal Union” and “has been firmly established and repeatedly recognized.” 383 U.S. 745, 757 (1966). In *Saenz v. Roe*, 526 U.S. 489 (1999), the United States Supreme Court reaffirmed that view.

- a. If you had to determine whether it is constitutional for a state to restrict the interstate travel of its citizens, what process would you use to perform that analysis? I assume you would faithfully follow binding precedent, but what specific precedents and/or other sources of law would you look to?

Response: If fortunate enough to be confirmed and this issue was before me, I would apply binding precedent and any applicable laws, regulations, or rules, along with the arguments presented by the parties properly before me. Pursuant to the Code of Conduct for United States Judges, I am unable to give any further opinion on this issue as this question concerns matters of political controversy and legal matters that could come before me.

17. Do you believe that the Constitution protects a fundamental right to privacy?

Response: In a number of cases, the United States Supreme Court has held that the Constitution protects a fundamental right to privacy in the context of several constitutional amendments, and I would follow all Supreme Court and Fifth Circuit precedent. For example, in the context of the Fourteenth Amendment, the Supreme Court in *Griswold v. Connecticut*, 381 U.S. 479 (1965) recognized a right to marital privacy. Likewise, in *Lawrence v. Texas*, 539 U.S. 558 (2003), the Supreme Court recognized a right to privacy that protects certain sexual conduct between consenting adults. In the Fourth Amendment context, the Supreme Court has recognized a right to privacy against unreasonable governmental searches and seizures. *See, e.g., Katz v. United States*, 389 U.S. 347 (1967); *Mapp v. Ohio*, 367 U.S. 643, 654-56 (1961).

- a. Do you agree that that right protects a woman’s right to use contraceptives? If you do not agree, please explain whether this right is protected or not and which constitutional rights or provisions encompass it.

Response: The United States Supreme Court has held that the Constitution protects a fundamental right to privacy, which includes a woman’s right to use contraceptives. *See Griswold v. Connecticut*, 381 U.S. 479 (1965). If fortunate enough to be confirmed as a federal district judge, I would be bound to apply this binding precedent.

18. What specific method of analysis do you apply when interpreting constitutional provisions?

Response: As an originalist, I would apply a method of analysis that seeks to determine the original public meaning of a constitutional text at the time that the provision was adopted. I would specifically consider how a reasonable, ordinary citizen would have understood those words looking at how the words were defined in dictionaries, legal treatises and common speech at the exact time that the provision was written.

- a. Why do you apply this method of analysis? On what grounds do you conclude this method is the correct one to apply?

Response: I apply the method of originalism because my role as a district judge would be to follow the law with fidelity to the Constitution as it was written. My role would not be as a policy maker. I believe originalism ensures that unelected judges do not indulge in their personal policy preferences and requires them to stick to the text and original meaning of the Constitution when it was adopted. If judges are allowed to change the meaning of the words over time, they are essentially rewriting the Constitution from the bench. The only proper way to change the meaning of the text would be to amend the Constitution.

19. Do you believe that immigrants, regardless of legal status, are entitled to due process and fair adjudication of their claims?

Response: Immigrants, regardless of legal status, are “person[s],” and thus are entitled to due process under the Due Process Clauses of the Fifth and Fourteenth Amendments. *See Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). If I am fortunate enough to be confirmed, I would be bound to apply this binding precedent, as well as other binding precedents on this issue.

20. What was the holding of the Supreme Court’s ruling in *Trump v. Barbara*? Will you faithfully apply that precedent if confirmed?

The Supreme Court held that “children born of parents unlawfully or temporarily present in the United States ... are thus subject to the jurisdiction of the United States ... [and] are citizens at birth.” *Trump v. Barbara*, 146 S. Ct. 2438, 2450 (2026). If fortunate enough to be confirmed as a federal district judge, I would be bound to apply this binding precedent.

21. Should you be confirmed, what would you do if a party refuses to comply with one of your orders?

Response: If fortunate enough to be confirmed and a party refused to comply with one of my orders, I would consider the circumstances and all relevant binding laws, rules, and precedent. It is my understanding that when proper processes are followed, federal courts have the power to order sanctions, including through civil contempt and criminal contempt proceedings. Courts may also order litigants or parties to appear and show cause as to whether they have complied with an order or otherwise provide information regarding compliance efforts.

22. What facts, circumstances, and authoritative precedent would you use to determine whether a party was engaging in abusive litigation tactics, such as excessive discovery requests, repeatedly or frivolously filing motions, or other procedural delays?

Response: If fortunate enough to be confirmed, I would determine whether a party was engaging in abusive litigation tactics such as those you describe above by reviewing the case docket and filings, the arguments of the parties, the Federal Rules of Civil Procedure concerning discovery, and binding precedent.

- a. If you determined that a party was engaging in such tactics, how would you address it?

Response: I would consider all the relevant facts, any arguments made by the parties, and any applicable rules, law, or precedent. I would then consider whether sanctions would be appropriate in a given case. And I would employ any case management tools to ensure that abusive tactics did not persist and cause further delay.

23. What role, if any, the practical consequences of a particular ruling play in a judge's rendering of a decision?

Response: Judges must decide cases based on the binding precedent and applicable law and should only consider the practical consequences of their decision in a particular matter if the applicable law requires such consideration.

24. What role, if any, should a judge's personal life experience play in his or her decision-making process?

Response: A judge should not allow his or her personal life experience to influence the judge's decision-making process and should follow the law as written and evaluate each case properly before them with impartiality. This means upholding their oath and obligations under the Constitution, federal law, and the Code of Conduct for United States Judges. It also means faithfully applying all precedents of the Supreme Court, governing circuit precedent, and any other laws or rules that apply to federal judges.

25. What role, if any, should empathy play in a judge's decision-making process?

Response: Judges should decide cases based solely on what the law requires, not based on personal feelings or preferences, including feelings of empathy. With that said, it is important for judges to be respectful of all litigants and understand that rulings may carry profound consequences for the people that appear before them.

26. What case or legal matter are you most proud of having worked on during your career?

Response: While working as an Assistant United States Attorney in the District of Puerto Rico, I was the lead prosecutor in a two-and-a-half-year investigation that resulted in the

largest police corruption case in the FBI's history, Operation Guard Shack, with over 90 police officers being charged in federal district court. Even though as a prosecutor it was sad that our investigation uncovered badges were sold and honor compromised by so many, it was also inspiring to fight alongside so many dedicated law enforcement officials who worked hard to do the right thing and to make their community a safer and better place to live. As a result of my work on Operation Guard Shack, I was awarded the Attorney General's Award for Excellence in Law Enforcement by Attorney General Eric Holder in 2011, and the FBI Director's Award for Outstanding Criminal Investigation by FBI Director Robert Mueller later that same year.

27. Some district court judges have issued standing orders indicating that the court will favor holding an oral argument when there is a representation that the argument would be handled by a junior lawyer. Such efforts are intended to provide more speaking opportunities in court for junior lawyers. Would you consider issuing a standing order that would encourage more junior lawyers to handle oral arguments? Why or why not?

Response: I absolutely would consider issuing such a standing order. My observations in federal district courts in recent years have been that junior lawyers are beginning to lose the art of advocacy. I believe holding more oral arguments for the benefit of younger lawyers will help them more fully develop that art. I ultimately believe this would also benefit both the court and the clients they represent.

- a. How else would you support the skills development of junior lawyers appearing before you?

Response: In my current supervisory role in the Department of Justice, I am always looking for opportunities to help develop the skills of younger attorneys. Whether it be pairing them with more senior attorneys to observe and learn from or hosting brown bag lunch opportunities where we discuss important skills and techniques, I have always sought to find the best ways to develop young talent. If given the opportunity to be a judge, I would continue this habit of finding new and innovative ways to support the skill development of junior lawyers appearing before me.

28. Discuss your proposed hiring process for law clerks.

Response: Out of respect for the Senate's pending consideration of my nomination and because I would never want to be viewed as presumptuous in any way, I have not yet developed a proposed hiring process for law clerks. But, I intend to review all applications that are submitted, including recommendations, references, grades, and work product. I will then try to identify clerks who are the most qualified, who I believe I would work well with, and who will treat others in the courthouse with dignity and respect.

- a. Do you think law clerks should be protected by Title VII of the Civil Rights Act?

Response: Under the Code of Conduct for United States Judges, it would be inappropriate for me to address this legislative proposal.

29. Recently, multiple studies have revealed ongoing problems with workplace conduct policies and outcomes in the federal judiciary. In a national climate survey, hundreds of judiciary employees reported that they experienced sexual harassment, discrimination, or other forms of misconduct on the job. A study by the Federal Judicial Center and the National Academy of Public Administration found that the branch has failed to set up trusted reporting systems for employees who experience misconduct or ensure those handling complaints are adequately trained.

- a. If confirmed, what proactive steps would you take to ensure that the clerks and judicial assistants who work in your chambers are treated with respect and are not subject to misconduct?

Response: While I will have not yet come up with a particular way I would run my chambers, as a general matter, if confirmed, my policies would ensure that the clerks and other staff who work in my chambers are treated with respect and are never subjected to misconduct. Misconduct would always be investigated and dealt with in a very serious manner.

- b. What proactive steps would you take to ensure that any workplace-related concerns that your clerks and judicial assistants may have are fully addressed?

Response: Please see my response to Question 29.a.

- c. If you are confirmed and you later hear from a colleague or your chambers staff that another judge is acting inappropriately, what steps would you take to help ensure the problem is addressed?

Response: Misconduct would always be investigated and dealt with in a very serious manner by me. I would follow whatever procedures that the Chief Judge of the District Court had in place always ensuring any affected individuals were safe. If no procedures existed, I would report any information of misconduct that I learned about to the Chief Judge.

30. Do you agree with me that the attack at the U.S. Capitol on January 6, 2021, was an insurrection? Why or why not?

Response: How the events at the Capitol on January 6, 2021, are characterized is a matter of political debate and was the subject of litigation in *Trump v. Anderson*. Moreover, the effect of pardons issued to those prosecuted for actions taken related to the events at the Capitol on January 6, 2021, is subject to ongoing litigation that could arise in cases that could come before me if I am confirmed to serve as a district court judge. Thus, under the Code of Conduct for United States Judges, it would be inappropriate for me to address these issues.

- a. If you think this question would require you to express an opinion on “political” matters, as some judicial nominees have responded when asked this question, please explain why labeling the events of January 6, 2021, as either “an insurrection” or “not an insurrection” requires you to opine on a “political” matter.

Response: How the events at the Capitol on January 6, 2021, and the term insurrection are characterized are a matter of intense political debate. There are disputes on how the term “insurrection” is defined and those disagreements can have differing legal consequences. Also, how the term insurrection is defined is being used by both sides of the political spectrum to message how they view the events that occurred at the Capitol on January 6, 2021. Thus, under the Code of Conduct for United States Judges, it would be inappropriate for me to address these issues.

31. As you know, the President has the power under the Constitution to grant executive clemency relief. Even so, in your opinion, do you think the individuals convicted of assaulting law enforcement officers at the Capitol on January 6, 2021, deserved to be pardoned? I am asking for your opinion about whether the pardons were prudent, not whether the President has the authority to issue them.

Response: The Constitution empowers the President to issue pardons. The Judicial Branch has no role in this process. Under the Code of Conduct for United States Judges, it would be inappropriate for me to weigh in any further on this topic.

32. If you were the President on January 20, 2025, would you have pardoned the individuals convicted of assaulting law enforcement officers at the Capitol on January 6, 2021? Again, I know that the President has the power under the Constitution to grant executive clemency relief. I want to know whether you—if serving as President on January 20, 2025—would have chosen to issue pardons to those convicted of assaulting law enforcement officers at the Capitol on January 6, 2021.

Response: Please see my response to Question 31.

33. You were listed as counsel of record for the government in *United States v. Nieves-Velez*, 28 F. Supp. 3d 131 (D.P.R. 2014). There, the district court found that the defendant had successfully raised a claim of sentencing factor manipulation, which occurs when the government improperly enlarges the scope or scale of a crime to increase a defendant’s sentence. The court then granted the defendant’s motion to reduce his sentence noting that the defendant “lacked the predisposition to commit the crime.”

- a. What role did you play in deciding what charges to bring against Nieves-Velez?

Response: I was the Assistant United States Attorney who drafted the indictment and presented the case to the grand jury after the charges were approved by three

levels of supervision within the United States Attorney's Office for the District of Puerto Rico.

- b. What role did you play in the sentencing of Nieves-Velez? Did you draft any briefing? Did you participate in oral arguments or other hearings?

Response: I left the United States Attorney's Office for the District of Puerto Rico when I transferred to the Southern District of Florida in December 2011. The matter was transferred to another prosecutor at that time, and I had no further involvement with the case.

- c. The government did not challenge the district court's decision to reduce Nieves-Velez's sentence. Did you make the decision as to whether to appeal the decision? If so, why did you decide not to appeal?

Response: Please see my response to Question 33.b.

- d. Did you agree with the district court's decision that the defendant had successfully raised a claim of sentencing factor manipulation?

Response: Please see my response to Question 33.b.

34. In your Senate Judiciary Questionnaire, you listed Project EJECT as among your most significant legal activities and stated that you were assigned to "plan, facilitate, and implement this project daily." You described Project EJECT as a multi-disciplinary approach to fighting and reducing violent crime through prosecution, prevention, re-entry and awareness. Then-U.S. Attorney Mike Hurst claimed that for those convicted of federal crimes pursuant to Project EJECT, "we will immediately lock you up, move to detain you without bond, you will serve a significant prison sentence without parole, and we will seek to have you serve your sentence away from Mississippi."

- a. Did your office seek detention in every EJECT case?

Response: As the criminal chief responsible for the supervision of AUSAs who handled EJECT cases, I recall that my instructions to each of them were to follow the Department of Justice's policy and make individual determinations on the appropriateness of whether to seek detention. The factors considered were risk of flight and danger to the community. Since I did not personally handle the individual EJECT cases in federal district court, I am unaware of whether detention was sought in every case.

- b. If the office made individual determinations for detention in each case, did every case result in the defendant's detention without bond?

Response: Please see my response to Question 34.a.

- c. What did your office do to facilitate sending EJECT defendants to prison outside Mississippi?

Response: In cases deemed appropriate, AUSAs were instructed to make non-binding recommendations to the court that the defendant serve their sentence outside Mississippi.

Questions for the Record for Justice Courtney Leigh Coker
Submitted by Senator Richard Blumenthal
September 23, 2026

1. If confirmed, will you recuse yourself from any case where a reasonable person, knowing all the relevant facts, might question your impartiality, even if you personally believe you can be fair?

Response: I believe that both actual impartiality and the appearance of impartiality are important in maintaining public confidence in our system of justice. If confirmed, I will address all actual or potential conflicts of interest by reference to 28 U.S.C. § 455, the Code of Conduct for United States Judges, and any and all other applicable laws, rules, and practices governing such circumstances. At the current time, it would be inappropriate for me to prejudge any hypothetical recusal motion.

- a. If confirmed, will you recuse yourself from cases involving individuals, organizations, or entities to which you or your family members have made political contributions or provided political support?

Response: Please see my response to Question 1.

- b. If confirmed, will you recuse yourself from cases involving former clients, former law firms, or organizations with which you have had significant professional relationships?

Response: Please see my response to Question 1.

- c. If confirmed, will you recuse yourself from cases involving personal friends, social acquaintances, or individuals with whom you have ongoing personal relationships?

Response: Please see my response to Question 1.

2. If confirmed, will you commit to avoiding all *ex parte* communications about pending cases, including informal discussions at social events or professional gatherings?

Response: If I am fortunate enough to be confirmed, I would faithfully adhere to all ethical rules and obligations that apply to federal judges.

- d. If confirmed, will you avoid discussing pending cases or judicial business with elected officials, political appointees, or political operatives?

Response: Please see my response to Question 2.

- e. If confirmed, will you commit to declining meetings or communications with lobbyists, advocacy groups, or special interests seeking to influence your judicial decisions?

Response: Please see my response to Question 2.

- f. If confirmed, will you refrain from making public statements about legal or political issues that could reasonably be expected to come before your court?

Response: Please see my response to Question 2.

- 3. If confirmed, will you commit to filing complete and accurate financial disclosure reports that include all required information about your financial interests and activities?

Response: Yes.

- g. If confirmed, will you decline all gifts from parties who might appear before your court or who have interests that could be affected by your judicial decisions?

Response: Please see my response to Question 2.

- h. If confirmed, will you decline privately funded travel, hospitality, or entertainment that could create an appearance of impropriety or special access?

Response: Please see my response to Question 2.

- i. If confirmed, will you ensure that any teaching, speaking, or writing activities comply with judicial ethics requirements and do not create conflicts with your judicial duties?

Response: Please see my response to Question 2.

- 4. The House Republican-authored budget reconciliation bill for Fiscal Year 2026 had included a provision that would have limited federal judges' ability to hold government officials in contempt. While the Senate Parliamentarian ruled that the provision violated the Byrd Rule, and it was, therefore, removed, it would have prohibited federal courts from issuing contempt penalties against officials who disobey preliminary injunctions or Temporary Restraining Orders if the party seeking the order did not provide financial security to cover potential future damages for wrongful enjoining.

The contempt power was first codified in law in the Judiciary Act of 1789. In 1873, the Supreme Court described it as "inherent in all courts" and "essential to the preservation of order in judicial proceedings and to the enforcement of the judgements, orders, and writs of the courts, and consequently to the due administration of justice." Yet House Republicans are seeking to exempt government officials from this key tool for judicial enforcement.

- a. Do you believe the contempt power is “essential . . . to the due administration of justice[?]”

Response: The Supreme Court has described it in that way. *See, e.g., Ex parte Robinson*, 86 U.S. 505, 510 (1873). If confirmed, I will faithfully apply this precedent and all binding precedent.

- b. Do you believe that federal judges should be limited in their ability to hold government officials who defy court orders in contempt?

Response: Under the Code of Conduct for United States Judges, it would be inappropriate for me as a nominee to weigh in on this question, both because it implicates ongoing political disputes and because the issue could arise before me if I am confirmed to serve as a federal judge.

- 5. If confirmed, you, like all other members of the federal bench, would have the ability to issue orders. On February 9, 2025, Vice President Vance posted on X that “[j]udges aren’t allowed to control the executive’s legitimate power.” This raises an extremely concerning specter of Executive Branch defiance of court orders.

- a. If confirmed, would you have the ability to issue orders?

Response: Yes.

- i. Would you have the ability to enforce those orders?

Response: If I had jurisdiction over the case and parties, I could enforce orders entered in the case.

- ii. What powers would you have to enforce those orders?

Response: When proper processes are followed, federal courts have the power to order sanctions, including through civil contempt and criminal contempt proceedings. Courts may also order litigants or parties to appear and show cause as to whether they have complied with an order or otherwise provide information regarding compliance efforts.

- b. Does there exist a legal basis for federal Executive Branch officials to defy federal court orders? If so, what basis and in which circumstances?

Response: Generally, a litigant must follow court orders issued in the proceedings to which they are a party. However, the Supreme Court has acknowledged that, in some circumstances, an order must be violated in order to be appealed. As Justice Sotomayor’s first Supreme Court opinion explained, “Another long-recognized option is for a party to defy a disclosure order and incur court-imposed sanctions.” *Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 111 (2009). Some

legal scholarship has identified other limited situations in which compliance may not be required. *See generally, e.g.,* William Baude, *The Judgment Power*, 96 Geo. L.J. 1807 (2008) (lack of jurisdiction); Gary Lawson & Christopher D. Moore, *The Executive Power of Constitutional Interpretation*, 81 Iowa L. Rev. 1267, 1326 (1996) (constitutional error “so clear that it is not open to rational question”); *see also* 17 Corpus Juris Secundum Contempt §§ 56-65 (discussing contempt defenses).

- c. Does there exist a legal basis for state officials to defy federal court orders? If so, what basis and in which circumstances?

Response: Please see my response to Question 5.b.

- d. What would make a court order unlawful?

Response: A court order could be described as unlawful if it is wrong on the merits or entered without jurisdiction.

- i. What is the process a party should follow if it believes a court order to be unlawful?

Response: Please see my response to Question 5.b.

- ii. Is it ever acceptable to not follow this process? When and why?

Response: Please see my response to Question 5.b.

- 6. Were you in Washington, D.C. on January 6, 2021?

Response: No. I was in Dallas, Texas.

- a. Were you inside the U.S. Capitol or on the U.S. Capitol grounds on January 6, 2021?

Response: No.

**Questions for the Record from Senator Alex Padilla
Senate Judiciary Committee
"Nominations"**

September 16, 2026

Questions for Courtney Leigh Coker (U.S. District Court for the Northern District of Texas):

1. The following are yes or no questions related to the 2020 election:

- a. According to Wisconsin's certified 2020 General Election results, did Joe Biden receive more than 19,000 votes more than Donald Trump?

Response: I do not have any firsthand knowledge of the election results in this particular state or know where to find the answer reliably.

- b. According to Pennsylvania's certified 2020 General Election results, did Joe Biden receive more than 80,000 votes more than Donald Trump?

Response: Please see my response to Question 1.a.

- c. According to Georgia's certified 2020 General Election results, did Joe Biden receive more than 11,000 votes more than Donald Trump?

Response: Please see my response to Question 1.a.

- d. According to Arizona's certified 2020 General Election results, did Joe Biden receive more than 10,000 votes more than Donald Trump?

Response: Please see my response to Question 1.a.

- e. According to Nevada's certified 2020 General Election results, did Joe Biden receive more than 20,000 votes more than Donald Trump?

Response: Please see my response to Question 1.a.

- f. According to Michigan's certified 2020 General Election results, did Joe Biden receive more than 154,000 votes more than Donald Trump?

Response: Please see my response to Question 1.a.

- g. Setting aside the precise vote totals, do you accept that, according to each state's certified results, Joe Biden received more votes than Donald Trump in Wisconsin, Pennsylvania, Georgia, Arizona, Nevada, and Michigan in the 2020 General Election?

Response: I do not have any firsthand knowledge of the election results in any of these particular states or know where to find the answer reliably.

- h. Are you aware of any evidence that Joe Biden did not win more votes than Donald Trump in each of the states listed above? If so, please explain.

Response: As stated, I do not have any firsthand knowledge of the election results in any of the states listed above. In keeping with the position of prior judicial nominees, it would not be appropriate for me to comment on political or policy debates regarding the integrity of any election, including the 2020 presidential election. See Code of Conduct for United States Judges, Canons 3 & 5.

- 2. Some judicial nominees have stated that Joe Biden “legally” won the 2020 election or won the election “as a matter of law.” Setting aside any legal characterization: as a matter of fact, did Joe Biden win the 2020 presidential election?

Response: Pursuant to the process set forth in Article II and the Twelfth Amendment of the Constitution, if a candidate is certified as being the winner of a presidential election, then that person becomes President. On January 7, 2021, Joe Biden was certified as the 46th President of the United States.

- 3. Do you have any reason to believe that the outcome of any state’s presidential vote was impacted by irregularities or fraud? If so, please explain.

Response: In keeping with the position of prior judicial nominees, it would not be appropriate for me to comment on political or policy debates regarding the integrity of any election, including the 2020 presidential election. See Code of Conduct for United States Judges, Canons 3 & 5.

- 4. On January 7, 2021, a joint session of Congress certified 306 electoral votes for Joseph Biden and 232 electoral votes for Donald Trump. Joe Biden received more votes than Donald Trump across 25 states, DC, and NE-02 in the 2020 election.

- a. Do you have any reason to believe that Congress was wrong to certify each state’s electoral votes?

Response: In keeping with the position of prior judicial nominees, it would not be appropriate for me to comment on political or policy debates regarding the integrity of any election, including the 2020 presidential election. See Code of Conduct for United States Judges, Canons 3 & 5.

- 5. On January 6, 2021, a mob attacked the United States Capitol and more than 140 law enforcement officers were assaulted. President Trump has repeatedly described that day as "a day of love."

- a. Do you believe that January 6, 2021 was a "day of love"?

Response: Pursuant to the Code of Conduct for United States Judges, it would be inappropriate as a judicial nominee to comment on the political statements of public figures or the subject of political controversy.

6. More than 60 federal and state lawsuits, including those presided over by judges appointed by Republican presidents, dismissed legal challenges to the 2020 presidential election results for lack of evidence, lack of standing, or lack of merit.

- a. Do you have any reason to believe that any of those courts reached the wrong conclusion?

Response: In keeping with the position of prior judicial nominees, it would not be appropriate for me to comment on the decision making of other judges or on political or policy debates regarding the integrity of any election, including the 2020 presidential election. See Code of Conduct for United States Judges, Canons 3 & 5.

- b. Do you have any reason to believe that any one of those judges -- many of whom were appointed by Republican presidents, including President Trump -- acted improperly or in bad faith in dismissing those challenges?

Response: Please see my response to Question 6.a.

7. Have you ever, publicly or in an official capacity, questioned or disparaged: (i) the legitimacy of the 2020 presidential election results; (ii) Congress's certification of those results; or (iii) any federal or state court ruling rejecting legal challenges to those results? If so, please explain.

Response: No.

8. To the extent you would decline to answer any election-related question on the ground that the 2020 result is a "subject of political debate," please identify what you believe remains genuinely debatable about whether Joe Biden received more votes than Donald Trump in the states at issue, given that those results were certified by the responsible state officials and upheld in more than sixty state and federal proceedings.

Response: In keeping with the position of prior judicial nominees, it would not be appropriate for me to comment on political or policy debates regarding the integrity of any election, including the 2020 presidential election. See Code of Conduct for United States Judges, Canons 3 & 5.

9. Do you believe in a constitutional right to privacy? If so, please explain the constitutional basis for that right.

Response: The United States Supreme Court held in *Griswold v. Connecticut*, 381 U.S. 479 (1965) that the constitution protected a fundamental right to privacy. See, e.g., *Eisenstadt v.*

Baird, 405 U.S. 438 (1972); *Lawrence v. Texas*, 539 U.S. 558 (2003).

- a. Do you believe that *Griswold v. Connecticut* was correctly decided?

Response: *Griswold v. Connecticut* is a decision of the United States Supreme Court and, if I am fortunate enough to be confirmed, it would be binding precedent on me as a district court judge.

10. What judges or justices would you consider foundational to your judicial philosophy, and why?

Response: Justice Clarence Thomas on the United States Supreme Court and Judge James C. Ho on the United States Court of Appeals for the Fifth are both foundational to my judicial philosophy as an originalist. Both Justice Thomas and Judge Ho faithfully uphold their judicial oath. They decide cases based on what the law requires, regardless of their personal policy preferences. No matter how unpopular the outcome, they both always independently follow the rule of law with complete fidelity to the Constitution.

11. If confirmed, cases involving reproductive rights -- including access to abortion, contraception, and assisted reproductive technology -- may come before you. Do you believe that individuals have any constitutionally protected right to make reproductive healthcare decisions? Please explain.

Response: If confirmed, I will faithfully apply all precedent of the United States Supreme Court and the United States Court of Appeals for the Fifth Circuit, including as it relates to the above-referenced issues.

12. Judicial clerkships serve several important professional roles. They are a meaningful opportunity for recent law graduates to learn from an experienced mentor, and they serve as an important -- and often necessary -- step toward the highest levels of our legal profession. Too often, students from diverse backgrounds are overlooked for these opportunities despite equivalent qualifications.

- a. Do you believe that diversity at all levels of the federal judiciary is important? Please explain your view.

Response: Yes. No one should be excluded from work in the federal judiciary based on race, ethnicity, sex, religion, or any other protected characteristic.

- b. When selecting your law clerks, will you commit to considering qualified applicants from a broad range of backgrounds, including candidates from a variety of law schools, from varying socioeconomic circumstances, and of differing races, ethnicities, religions, gender identities, sexual orientations, and abilities?

Response: Yes.

- c. Please describe how you plan to find and hire law clerks. Will you consider candidates from various law schools and backgrounds, including first-generation lawyers?

Response: Out of respect for the Senate's pending consideration of my nomination and because I would never want to be viewed as presumptuous in any way, I have not yet developed a proposed hiring process for law clerks. But I intend to review all applications that are submitted, including recommendations, references, grades, and work product. I will then try to identify clerks who are the most qualified, who I believe I would work well with, and who will treat others in the courthouse with dignity and respect.

- d. Will you make your clerkship hiring criteria and application process transparent and accessible to applicants who lack the networks or institutional connections that often drive clerkship hiring?

Response: Please see my response to Question 12.c.

- e. If confirmed, how will you personally ensure diversity among your law clerk classes?

Response: If confirmed, I will ensure that no one I employ is discriminated against based on race, ethnicity, sex, religion, or any other protected characteristic.

13. I want to give you an opportunity to discuss your views on the 22nd Amendment.

- a. What does the 22nd Amendment state?

Response: The Twenty-Second Amendment states: "Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term. Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

- b. Under the text of that amendment, is there any basis on which an individual who has already been elected President twice could lawfully be elected to a third term?

Response: No.

- c. Donald Trump was elected President in 2016 and again in 2024. How many times has Donald Trump been elected President?

Response: Twice.

- d. Are you aware of any provision of the Constitution, federal statute, or judicial precedent that would permit Donald Trump to be elected to a third term?

Response: No.

- e. If a case came before you challenging the eligibility of any individual to appear on a presidential ballot in violation of the 22nd Amendment and you concluded a candidate was ineligible under that amendment, would you have any hesitation in ruling against them regardless of that individual's political standing or the political consequences of your decision?

Response: If confirmed and faced with this issue, I would faithfully and impartially apply binding precedent and applicable laws without regard to politics.

- 14. If confirmed, cases involving discrimination claims brought by LGBTQ+ individuals under Title VII or other federal civil rights statutes may come before you. Will you commit to treating these individuals with dignity by ensuring that your courtroom is a forum where all LGBTQ+ litigants, witnesses, and counsel are addressed respectfully -- including by use of their correct name and gender identity -- and where their claims receive the same full and fair consideration afforded to all parties?

Response: If fortunate enough to be confirmed, I will treat all litigants who appear before me fairly, impartially, and with respect. I would also be bound by Fifth Circuit precedent in *United States v. Varner*, 948 F.3d 250 (5th Cir. 2020).

- 15. Do you believe that individuals in immigration removal proceedings, including those who entered the United States without authorization, are entitled to the due process protections guaranteed under the US Constitution? Please explain.

Response: The United States Supreme Court has stated that "the Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

- 16. If confirmed, will you commit to ensuring that every person who appears before you is treated with dignity and afforded the full protection of the Constitution and federal law regardless of their immigration status, national origin, or language?

Response: Yes.

17. What recourse do you believe is available to a federal judge whose orders are not followed?

Response: When proper processes are followed, federal courts have the power to order sanctions, including through civil contempt and criminal contempt proceedings. Courts may also order litigants or parties to appear and show cause as to whether they have complied with an order or otherwise provide information regarding compliance efforts.

18. In the documents you provided the Senate Judiciary Committee, have you identified every publicly accessible -- or previously publicly accessible -- social media, blog, forum, or other online account that you have created, maintained, controlled, contributed to, or posted under, on any platform?

Response: Yes.

If not, please identify any publicly accessible social media, blog, forum, or other online account that you have created, maintained, controlled, contributed to, or posted under, on any platform. Please include any non-private (or any previously non-private) accounts on Twitter/X, Facebook, Instagram, LinkedIn, YouTube, TikTok, Truth Social, Substack, Reddit, any personal blogs or websites, or any comparable platforms. For each account, please state:

- a. the platform or service;
- b. the username, handle, screen name, and any display name associated with the account;
- c. the approximate dates the account was active;
- d. whether the account was maintained in your own name, under a pseudonym, or anonymously; and
- e. the account's current status (active, deactivated, deleted, or set to private).

19. Since you were first under consideration for this nomination, have you deleted, deactivated, archived, restricted the visibility of, or removed content from any online account, or directed or requested that anyone do so on your behalf? If so, please identify the account and describe what was changed or removed and when.

Response: No.

20. Article III states that federal courts decide "cases" and "controversies."

- a. What do you look for when deciding whether a matter before you is actually a dispute constituting a "case" or "controversy?"

Response: The doctrine of standing serves as a “landmark” for identifying disputes that are cases and controversies and thus appropriately resolved through the judicial process. See *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992). The “irreducible constitutional minimum of standing” requires a plaintiff to have suffered (1) injury in fact that is (2) fairly traceable to the challenged action of the defendant, and (3) redressable by a favorable decision by the court. *Id.* at 560-61.

- b. What harms could arise if a court were to decide a dispute that fails to meet the case-or-controversy requirement?

Response: Article III’s cases-and-controversies requirement is intended to prevent courts from exceeding their constitutional authority and infringing on the legislative and executive powers held by the elected branches of government. See *Lujan*, 504 U.S. at 559-60.

- c. If neither party raises that requirement — even if both parties are satisfied with their positions or purported settlement agreements — does a judge still have an independent obligation to ensure that any case before them meets all constitutional requirements?

Response: While courts have “an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party,” *Arbaugh v. Y & H Corp.*, 546 U.S. 500, 514 (2006), in many cases, the parties can voluntarily settle their dispute without involving the court. Accordingly, the obligations of the court will depend upon the specifics of the case and its posture.

- d. What recourse is available to a judge who concludes the parties before them are not adverse as constitutionally required?

Response: Please see my response to Questions 20.a. through c.

21. In 2024, the Judicial Conference issued guidance urging the random district-wide assignment of cases that seek statewide or nationwide injunctions. The Northern District of Texas declined to adopt that guidance. As a result, litigants filing in the district's single-judge divisions can effectively select their judge before ever filing a case.

- a. Does the practice of judge-shopping hurt public confidence in the federal court system?

Response: It would not be appropriate for me to comment on the decision making of other judges or on political or policy debates regarding this issue. See Code of Conduct for United States Judges, Canons 3 & 5.

- b. If confirmed, will you support the adoption of the Judicial Conference's random-assignment policy?

Response: Please see my response to Question 21.a.

- c. If you believe that litigants filed a case with the intent of obtaining you as a judge in their case, do you believe you have the authority to transfer it? Under what circumstances would you consider doing so?

Answer: If I am fortunate enough to be confirmed and this issue was before me, I would apply binding precedent and any applicable laws, regulations, or rules, and consider the arguments presented by the parties properly before me. As a judicial nominee, I am unable to give any further opinion on this matter as it concerns a legal matter that could come before me.

22. During your confirmation hearing, you told Senator Kennedy that you completed implicit bias training during your service at the Department of Justice. At one point, you stated, "I didn't agree with the implicit bias.

- a. What specifically did you not agree with? For each of the following, please state whether you disagreed with it and, if so, explain your objection:

- i. the content of the training you received at the Department of Justice;

Response: When viewing the training, I did not believe that I personally engaged in implicit bias.

- ii. the premise that unconscious or implicit bias exists;

Response: I treat all people with dignity and respect regardless of race, sex, or national origin.

- iii. existing research on implicit bias; or,

Response: I am unfamiliar with any existing research on implicit bias.

- iv. anything else. If so, please identify it and explain your objection.

Response: I have nothing else to add on this issue.

- b. Did you express disagreement with the training at the time you completed it?

Response: No, I followed the Department of Justice's policy to participate in the training.

- c. Do you believe that a person, including a judge, can treat others differently because of certain traits such as race, sex, or national origin without consciously intending to do so?

Response: I treat all people with dignity and respect regardless of race, sex, or national origin.

23. During your confirmation hearing, Senator Blumenthal asked whether the U.S. Capitol was attacked on January 6, 2021. Judge Ballou, a sitting Kentucky state circuit court judge, answered first: "I did watch enough to see it certainly appeared like there were people attacking the Capitol. When you're slinging around barriers, breaking glass and punching cops ... it appeared like some people were attacking the Capitol."

After Judge Ballou's answer, you stated that you instead agreed with only Judge Bennett's subsequent answer. Judge Bennett had asserted that "characterizing it as an attack, I believe, weighs into a matter of political controversy, and it's inappropriate for me to comment on that under the canons."

- a. Which specific canon of the Code of Conduct for United States Judges do you believe barred you from answering whether the Capitol was attacked?

Response: Code of Conduct for United States Judges, Canons 3 & 5.

- b. Do you believe Judge Ballou's answer was inconsistent with the canons of judicial ethics? If not, explain why the canons barred you from giving the same answer.

Response: Please see my response to Question 23.a. Beyond that, I believe it would not be appropriate for me to comment on the testimony of other nominees.

Questions for the Record

Courtney Coker – Nominee to be United States District Judge for the Northern District of Texas

Sen. Adam Schiff (D-CA)

1. How would you define public corruption as a matter of federal law?

Response: The primary federal corruption statutes are found in Title 18 of the United States Code. Examples would be bribery of federal officials under 18 U.S.C. § 201, federal program bribery under 18 U.S.C. § 666, or even honest services fraud under 18 U.S.C. § 1346. Thus, federal law may define “corruption” differently in different contexts. If I were privileged to be confirmed, I would consult the definition set forth by the relevant statute or precedent.

- a. If one of your law clerks used their position to give or steer money to their friends, would you consider that public corruption?

Response: This question asks me to comment on a hypothetical set of facts that could be interpreted as foreshadowing how I might rule in a case. As a judicial nominee, it is not appropriate for me to comment. See Code of Conduct for United States Judges, Canon 5.

2. Do you agree that Article III Courts are courts of limited subject-matter jurisdiction?

Response: Yes.

- a. Describe the Article III cases and controversies requirement.

Response: Article III empowers federal courts to hear “Cases” and “Controversies.” This has been interpreted to mean that courts may hear only disputes in which the plaintiff has “Article III standing.” To have standing, the Supreme Court has held that a plaintiff “must have (1) suffered an injury in fact, (2) that is fairly traceable to the challenged conduct of the defendant, and (3) that is likely to be redressed by a favorable judicial decision.” *Spokeo, Inc. v. Robins*, 578 U.S. 330, 338 (2016).

- b. Are federal courts limited to cases and controversies where the parties have adverse legal interests?

Response: It would be inappropriate for me as a judicial candidate to answer this question because it seeks comment on matters that are the subject of pending litigation. See Code of Conduct for United States Judges, Canon 3(a)(6).

- c. Would a lawsuit where the plaintiff and defendant are the same individual be frivolous?

Response: Please see my answer to Question 2.b.

- d. How does the legal profession typically respond to frivolous lawsuits?

Response: Rule of 11 of the Federal Rules of Civil Procedure empowers courts to sanction parties engaged in frivolous litigation.

3. How would you describe your judicial philosophy?

Response: With respect to constitutional interpretation, lower court judges should first look to binding precedent. If there is no applicable binding precedent, a district court judge should follow the methods of constitutional interpretation as established by the United States Supreme Court and the Fifth Circuit.

4. How would you describe your philosophy regarding statutory interpretation?

Response: My philosophy regarding statutory interpretation is anchored in a foundational premise that the legal authority of a statute lies strictly within its enacted text. A judge's sole duty is to interpret the ordinary public meaning of those words at the time they are written.

- a. What methodology do you use to ensure your rulings are predictable and properly constrained within the bounds of the law?

Response: To ensure that rulings are predictable and constrained within the bounds of law, a judge should rely on a methodology of formalism and objective textual constraints. By restricting their analysis to the ordinary public meaning of the text at the time it was enacted, a judge is unlikely to allow the statute's definition to evolve to meet the modern political or social preferences. Because the historical meaning of the words is a fixed fact, both litigants and the public can read the text and reasonably predict how a court will apply it, rather than trying to guess a judge's personal philosophy.

5. When confronted with an ambiguous statute, how do you consider legislative history in your decision-making process?

Response: When confronted with an ambiguous statute, I would resolve the ambiguity by looking at the broader statutory context, semantic canons, and statutory history. Only the final, voted-on text of a bill survived bicameralism and presentment should primarily guide my analysis, not legislative history.

6. How do you define judicial activism?

Response: My understanding of judicial activism is a philosophy of judicial decision-making where judges allow their personal views, political leanings, or social values guide

their rulings rather than strictly adhering to the original text of the law or established legal precedents.

7. Supreme Court Justice Clarence Thomas has argued that a judge has a constitutional duty to overrule past Supreme Court precedent if it is “demonstrably erroneous,” regardless of *stare decisis*.

- a. Do you agree with this argument? Why or why not?

Response: If fortunate to be confirmed, I would faithfully apply all binding precedent and would have no authority to overrule precedent of the United States Supreme Court.

- b. If you do agree, what factors would you consider to determine if precedent is “demonstrably erroneous”?

Response: Please see my answer to Question 7.a.

- c. What is your approach to considering *stare decisis*?

Response: Please see my answer to Question 7.a.

8. You participated in a project in the U.S. Attorney’s Office for the Southern District of Mississippi titled Project Empower Jackson Expel Crime Together (EJECT). The U.S. Attorney at the time stated to those who may be convicted of federal crimes under this project that “we will immediately lock you up, move to detain you without bond, you will serve a significant prison sentence without parole, and we will seek to have you serve your sentence away from Mississippi.”

- a. What was your role in Project EJECT?

Response: I was assigned to plan, facilitate, and implement this project daily. All prosecutors in the office’s Criminal Division were assigned cases from this project including carjacking, business burglaries, illegal gun possession, drugs, and violent crime in aid of racketeering. As the criminal chief, I was responsible for the supervision of the AUSAs who handled EJECT cases.

- b. How would you respond to critics of the program who characterized it as “draconian” and a revival of the failed war on drugs?

Response: All the crimes charged as a result of EJECT were federal crimes passed by Congress. I do not believe a federal prosecutor who adheres to his sworn duty and enforces the laws that Congress passes is acting in a “draconian” way.

- c. Did you agree with the U.S. Attorney's approach of detaining individuals convicted of federal crimes pursuant to this program without bond and requesting long prison sentences?

Response: Based on my observations, the individuals prosecuted as a result of EJECT were prosecuted pursuant to the rule of law with adherence to the Constitution. As a judicial nominee, I am committed to following the rule of law with fidelity to the Constitution.

- d. Given this work, how do you anticipate approaching sentencing as a federal district judge?

Response: If I am fortunate enough to be confirmed as a district judge, every sentence I would impose would be the product of an individualized assessment, based on the unique facts and circumstances of each defendant, and would be determined in accordance with the sentencing factors set forth in 18 U.S.C. § 3553(a).

- e. Given your association with this project, how can you assure criminal defendants who appear before you that you will act impartially when hearing their cases?

Response: Prior to becoming a prosecutor, I was a defense attorney who was a zealous advocate for my client always ensuring that their Constitutional rights were protected. Later I became a prosecutor who as an advocate for the United States always strived to adhere to the rule of law within the framework of the Constitution. If I am fortunate enough to be confirmed as a district judge, I will leave my executive branch job as a prosecutor and become a member of the judicial branch. As a professional and one who believes in our Constitutional form of government, I will assume this new role and treat every criminal defendant fairly, impartially, and with adherence to the rule of law with fidelity to the Constitution.

- 9. President Trump announced your nomination by touting your prosecutorial record in handling criminal cases and characterizing you as a "strong defender of Law and Order."

- a. How do you define "law and order"?

Response: In a "law and order" approach to prosecution, prosecutors focus on prosecuting severe offenses that threaten public safety, such as violent crime, narcotics distribution, and transnational organizations. In this framework, charging the most serious, readily provable offenses will result in maximizing the primary goal of deterrence for future crime all in an effort to protect the American people at large.

- b. How will you assure criminal defendants who appear before you that they will receive fair and impartial treatment?

Response: Please see my answer to Question 8.e.

10. At your Senate Judiciary Committee nomination hearing, Senator Kennedy asked about your understanding of implicit bias. You noted that you took implicit bias training because it was required under the last Administration and that you “did not agree with the implicit bias,” by which you were suggesting that you do not believe implicit bias can be unconscious or unintentional.

- a. How do you define bias?

Response: My understanding of bias would be an intentional preference for or against an idea, thing, or group that is close-minded, unfair or prejudicial.

- b. How do you define implicit bias?

Response: My understanding of implicit bias is the concept that an individual possesses bias against certain groups of people unconsciously and outside the person’s own awareness.

- c. There is abundant research demonstrating the pervasiveness of implicit bias by judges, attorneys, and jurors in the judicial system. Will you commit to making a dedicated effort to examine your own implicit biases and prevent them from affecting your decision-making on the bench?

Response: If fortunate enough to be confirmed, every litigant, attorney, juror, court personnel or member of the public that appears in my Court will be treated fairly, impartially, with respect and as a fellow human being.

11. At your Senate Judiciary Committee nomination hearing, Senator Blumenthal asked you which candidate won the 2020 election. You responded that Joe Biden was certified by the Electoral College but refused to say which candidate won the election as a matter of fact.

- a. As a matter of fact, which of the two general election candidates lost the 2020 election?

Response: Based on the public certification of the votes of the state electors during a joint session of Congress, President Biden received the majority of the Electoral College votes and was sworn in and served as the 46th President of the United States.

- b. As a matter of fact, which of the two general election candidates lost the 2024 presidential election?

Response: Based on the public certification of the votes of the state electors during a joint session of Congress, President Trump received the majority of the Electoral College votes and was sworn in and served as the 47th President of the United States.

- c. As a matter of fact, did Donald Trump lose the 2020 election? Yes or no.

Response: Please see my response to Question 11.a.

- d. Aside from the Electoral College and the certification of the election, who received the most recorded votes in the 2020 presidential election?

Response: Please see my response to Question 11.a.

- e. Who won the majority of the electoral college votes in the 2020 presidential election?

Response: Please see my response to Question 11.a.

- f. Do you have any doubts about the outcome or integrity of the 2020 presidential election results?

Response: Please see my response to Question 11.a. Relating to the integrity of the 2020 presidential election, as a judicial nominee, it would not be appropriate for me to comment on matters of political debate. See Code of Conduct for United States Judges, Canon 5.

12. At your Senate Judiciary Committee nomination hearing, Senator Blumenthal asked you whether the U.S. Capitol was attacked on January 6, 2021. You refused to describe the events of January 6, 2021, as an attack on the U.S. Capitol.

- a. Was there violence at the U.S. Capitol on January 6, 2021?

Response: Yes.

- b. If yes, what violence are you aware of that occurred on January 6, 2021, at the U.S. Capitol? Please list any events that you recall reading about, watching, or seeing in subsequent media reports.

Response: In watching subsequent coverage, I witnessed what appeared to be trespassing, vandalism, destruction of property and assaults on law enforcement officers.

- c. What level of violence would constitute an “attack” in your view? Do you consider the actions taken against law enforcement officers on January 6th at the U.S. Capitol to constitute an “attack”?

Response: As a judicial nominee, it would not be appropriate for me to comment on matters of political debate. See Code of Conduct for United States Judges, Canon 5.

13. At your Senate Judiciary Committee nomination hearing, you answered Senator Blumenthal's questions about the 2020 presidential election and the January 6, 2021, attack on the U.S. Capitol with a response that was substantially similar, if not identical, to the responses of recent nominees.

- a. In preparing for your hearing and your written responses, did anyone, formally or informally, direct, advise, coach, suggest, or recommend how you should answer questions about the 2020 election and the January 6, 2021, attack on the U.S. Capitol? If so, who provided that guidance?

Response: No.

- b. In preparing for your hearing and your written responses, were you directed, encouraged, or advised to review the hearing testimony or written responses of previous nominees about the 2020 election and the January 6, 2021, attack on the U.S. Capitol? If so, who provided that guidance?

Response: No.