

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Clifton Leland Corker

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

United States District Judge for the Eastern District of Tennessee

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

James H. Quillen United States Courthouse
220 West Depot Street, Suite 306
Greeneville, Tennessee 37743

Residence: Kingsport, Tennessee 37664

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

1967; Richmond, Virginia

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

1990 – 1993, William & Mary Law School; J.D., 1993

1986 – 1990, James Madison University; B.B.A., 1990

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

2015 – present
James H. Quillen United States Courthouse
220 West Depot Street

Suite 306
Greeneville, Tennessee 37743
United States Magistrate Judge

1996 – 2015
Law Office of Clifton Corker
119 East Watauga Avenue
Johnson City, Tennessee 37601
Attorney

1995 – 1996
Terry, Terry & Stapleton
918 West 1st North Street
Morristown, Tennessee 37814
Associate Attorney

1994 – 1995
Federal Defender Services
219 West Depot Street, Suite 200
Greeneville, Tennessee 37743-4909
Volunteer

1993 – 1994
The Honorable Cynthia Kinser
United States Magistrate Judge
180 West Main Street
Abingdon, Virginia 24210
Law Clerk

1992 – 1993
William & Mary Law School
613 South Henry Street
Williamsburg, Virginia 23185
Legal Skills Instructor

1992 – 1992
Commonwealth's Attorney for City of Richmond
400 North 9th Street
Richmond, Virginia 23219
Summer Intern

1991 (approximately)
Professor Jayne Barnard
William & Mary Law School
613 South Henry Street
Williamsburg, Virginia 23185

Research Assistant

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

I have not served in the U.S. Military. I registered for the selective service upon turning 18.

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

Super Lawyers, Top Rated Criminal Defense Attorney in Tennessee (2006)

Leaders in Christian Service Award, Milligan College (2002)

William & Mary Law School

Order of Barristers, a Trial Advocacy Honor Society (1993)

Moot Court Competition – 8th in Competition (1991)

James Madison University

Mortar Board, National Honor Society (1989 – 1990)

Beta Alpha Psi, Accounting Honor Society (1989 – 1990)

Golden Key National Honor Society (1989 – 1990)

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

American Association for Justice (1996 – 2008)

Federal Bar Association (2015 – present)

Federal Magistrate Judges Association (2015 – present)

National Association of Criminal Defense Lawyers (2003 – 2016)

Tennessee Association of Criminal Defense Lawyers (2003 – 2015)

Tennessee Bar Association

Access to Justice Committee, Committee Member (2001 – 2003)

Member (1999 – 2005; 2012 – 2015)

Tennessee Board of Professional Responsibility, Hearing Officer (2001 – 2007)

Tennessee Trial Lawyers Association (1996 – 2010)

Washington County Bar Association (1996 – (est.) 2005)

10. **Bar and Court Admission:**

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

Virginia, 1993
Tennessee, 1995

There have been no lapses in memberships.

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

United States Court of Appeals for the Fourth Circuit, 1993
United States Court of Appeals for the Sixth Circuit, 1995

11. **Memberships:**

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

Historical Society for the Eastern District of Tennessee (2015 – present)

Second Harvest Food Bank of Northeast Tennessee (2001 – 2006)
Board Member

Sullivan County Republican Executive Committee (approximately 2012 – 2013)

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

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

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

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

Guest Columnist, *End Apartheid: Invest in South Africa*, The Breeze, Feb. 23, 1989, at 10. Copy supplied.

Letter to the Editor, *Anti-North Groups Really Resent 'Success of Reagan Revolution'*, The Breeze, Jan. 30, 1989, at 12. Copy supplied.

Letter to the Editor, *Gay Rights Debate Announced*, The Breeze, Oct. 3, 1988, at 12. Copy supplied.

Letter to the Editor, *Evil Liberal Spirit Returns*, The Breeze, Mar. 24, 1988, at 35. Copy supplied.

Letter to the Editor, *Fogleman Best Bet for Representation*, The Breeze, Mar. 21, 1988, at 31. Copy supplied.

Letter to the Editor, *National Defense Debated: Two Sides to Arms Build-up Discussed by High-ranking Officers*, The Breeze, Nov. 12, 1987, at 21. Copy supplied.

Letter to the Editor, *Bork Views Based on Sound Judgment*, The Breeze, Oct. 8, 1987, at 27. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal

interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

None.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

Oct. 24, 2018: Speaker, Courthouse Tour, Greeneville, Tennessee. I spoke with students from Elizabethton High School and teacher Mr. Ryan Presnell at the James H. Quillen Courthouse, 220 West Depot Street, Greeneville, Tennessee 37743. I spoke about federal court and the court hearings they had just observed. I have no notes, transcripts or recordings. The address of Elizabethton High School is 907 Jason Witten Way, Elizabethton, Tennessee 37643.

Oct. 22, 2018: Speaker, Political Science Class of Professor Steven Lawrence, Walters State Community College, Morristown, Tennessee. I spoke with Judge Dennis Inman about the structure of the federal court system and my experiences serving as a magistrate judge. I have no notes, transcripts or recordings. The address of Walters State Community College is 500 South Davy Crockett Parkway, Morristown, Tennessee 37813.

Aug. 24, 2018: Speaker, Tennessee FastTrack in Knoxville: Criminal Issues in Federal Court, Tennessee Bar Association, Knoxville, Tennessee. I spoke about common issues of criminal law that arise in federal courts. I have no notes, transcripts or recordings. The address for the Tennessee Bar Association is 221 5th Avenue North, Suite 400, Nashville, Tennessee 37219.

June 8, 2018: Speaker, Portrait Unveiling Ceremony for the Honorable J. Ronnie Greer, Greeneville, Tennessee. I spoke about the legacy of Judge Greer and my experience with him when I practiced law and as a U.S. Magistrate Judge. I have no notes, transcripts or recordings. Press report supplied. The address of the James H. Quillen United States Courthouse is 220 West Depot Street, Greeneville, Tennessee 37743.

May 14, 2018: Speaker, Courthouse Tour, Greeneville, Tennessee. I spoke to students from DeBusk Middle School at the James H. Quillen Courthouse, 220 West Depot Street, Greeneville, Tennessee 37743 about the federal criminal justice system. I have no notes, transcripts, or recordings. The address of Debusk

Middle School is 740 Debusk Road, Greeneville, Tennessee 37743.

May 11, 2018: Speaker, *So Your Case is in Federal Court – Now What?*, Federal Practice in the Eastern District of Tennessee, Federal Bar Association, Northeast Tennessee Chapter, Johnson City, Tennessee. Outline and Powerpoint supplied.

May 9, 2018: Speaker, Courthouse Tour, Greeneville, Tennessee. I spoke with 25 students from Tennessee High School at the James H. Quillen Courthouse, 220 West Depot Street, Greeneville, Tennessee 37743. I have no notes, transcripts, or recordings. The address of Tennessee High School is 1112 Edgemont Avenue, Bristol, Tennessee 37620.

Apr. 18, 2018: Speaker, Courthouse Tour, Greeneville, Tennessee. I spoke to 90 third grade students from Doak Elementary School about the federal court system and had them participate in a mock trial. I have no notes, transcripts, or recordings. The address of Doak Elementary School is 70 West Street, Tusculum, Tennessee 37745.

Mar. 30, 2018: Speaker, Student Council Courthouse Tour, Greeneville, Tennessee. I spoke with students who were members of Dobyns-Bennett High School's student council about naturalization ceremonies generally, their participation in the upcoming Naturalization Ceremony specifically, and led them in a tour of the courthouse. I have no notes, transcripts, or recordings. The address of Dobyns-Bennett High School is 1 Tribe Way, Kingsport, Tennessee 37664.

Mar. 30, 2018; May 25, 2017; Feb. 17, 2017; Aug. 18, 2016; Aug. 19, 2016; Feb. 19, 2016; Aug. 20, 2015; Aug. 21, 2015: Speaker, Naturalization Ceremony, James H. Quillen Courthouse, Greeneville, Tennessee. I typically use the same set of remarks for all naturalization ceremonies. Remarks and press report supplied.

Dec. 14, 2017: Speaker, Commencement, Department of Justice, Smart on Crime Initiative, Johnson City, Tennessee. I spoke to federal parolees, who completed the Smart on Crime Initiative Program, about staying motivated and succeeding in life. I have no notes, transcripts or recordings. The address for the U.S. Department of Justice is 950 Pennsylvania Avenue N.W., Washington, D.C. 20530.

Dec. 4, 2017: Speaker, Greene County Partnership, Greeneville, Tennessee. I spoke with students from five Greene County high schools about the duties of a magistrate judge and the federal criminal justice system. I have no notes, transcripts, or recordings. The address for Greene County Partnership is 115 Academy Street, Greeneville, Tennessee 37743.

Mar. 17, 2017: Speaker, Student Courthouse Tour, Greeneville, Tennessee. I spoke with students from Chucky-Doak High School's senior government class

about federal court and the federal criminal justice system. I have no notes, transcripts, or recordings. The address of Chucky-Doak High School is 365 Ripley Island Road, Afton, Tennessee 37616.

Mar. 16, 2017: Speaker, TnAchieves Mentees Meeting, Greeneville, Tennessee. I gave a few remarks to the high school students who were my assigned mentees about succeeding in college and complying with the scholarship requirements. I have no notes, transcripts or recordings. The address of TnAchieves is 10427 Petsafe Way, Knoxville, Tennessee 37932.

Mar. 9, 2017: Speaker, 1L trial advocacy competition, University of Tennessee College of Law, Knoxville, Tennessee. I spoke with the students about trial advocacy skills. I have no notes, transcripts, or recordings. The address of the University of Tennessee College of Law is 1505 Cumberland Avenue, Knoxville, Tennessee 37996.

Feb. 17, 2017: Speaker, Student Council Courthouse Tour, Greeneville, Tennessee. I spoke with students who were members of Dobyns-Bennett High School's student council about naturalization ceremonies generally, their participation in the upcoming Naturalization Ceremony specifically, and led them in a tour of the courthouse. I have no notes, transcripts, or recordings. The address of Dobyns-Bennett High School is 1 Tribe Way, Kingsport, Tennessee 37664.

Feb. 13, 2017: Speaker, Immigration Law and Role of Magistrate Judges in the Federal Court System, Sertoma Club, Kingsport, Tennessee. Notes supplied.

Dec. 5, 2016: Speaker, Leadership, Dobyns-Bennett High School's Student Council, Kingsport, Tennessee. I spoke on leadership qualities. I have no notes, transcripts, or recordings. The address of Dobyns-Bennett is 1 Tribe Way, Kingsport, Tennessee 37664.

Dec. 5, 2016: Speaker, History of our Constitution, Dobyns-Bennett High School, Kingsport, Tennessee. I spoke to a 9th grade government class about the history of our Constitution and the development of our federal court system. I have no notes, transcripts, or recordings. The address of Dobyns-Bennett is 1 Tribe Way, Kingsport, Tennessee 37664.

Dec. 1, 2016: Speaker, Commencement, Department of Justice, Smart on Crime Initiative, Johnson City, Tennessee. I spoke to federal parolees, who completed the Smart on Crime Initiative program, about staying motivated and succeeding in life. I have no notes, transcripts or recordings. The address for the U.S. Department of Justice is 950 Pennsylvania Avenue N.W., Washington, D.C. 20530.

Oct. 6, 2016: Speaker, Courthouse Tour, Greeneville, Tennessee. I spoke to elementary students who visited the courthouse about being a federal judge and

our court system and acted out a jury trial with their participation. I have no notes, transcripts, or recordings. The address of Glenwood Elementary School is 3860 Warrensburg Road, Greeneville, Tennessee 37743.

June 28, 2016: Speaker, Role of the Magistrate Judge, Senior Adult Dinner, First Baptist Church, Kingsport, Tennessee. I spoke about the role of the magistrate judge in the federal court system. I have no notes, transcripts, or recordings. The address of First Baptist Church is 200 West Church Circle, Kingsport, Tennessee 37660.

May 12, 2016: Panelist, Federal Court Bench Bar Conference – Pretrial Practice I, Knoxville Bar Association, Knoxville, Tennessee. I gave advice about effective practice in federal courts. I have no notes, transcripts or recordings. The address of the Knoxville Bar Association is 505 Main Street, Suite 50, Knoxville, Tennessee 37902.

May 10, 2016: Speaker, Courthouse Tour, Greeneville, Tennessee. I spoke to middle school students about the role of the federal court and about career opportunities. I have no notes, transcripts, or recordings. The address of Mosheim Middle School is 297 West School Street, Mosheim, Tennessee 37818. The address of McDonald Middle School is 8120 McDonald Road, Mohawk, Tennessee 37810.

Apr. 9, 2016: Speaker, 2015 Amendments to the Federal Rules of Civil Procedure, Lon Boyd Seminar, Asheville, North Carolina. Notes supplied.

Apr. 8, 2016: Panelist, CJA Orientation Seminar, Federal Defender Services, Greeneville, Tennessee. I was a panelist discussing practice in federal court at the James H. Quillen Courthouse, 220 West Depot Street, Greeneville, Tennessee 37743. I have no notes, transcripts, or recordings. The address of the Federal Defender Services is 219 West Depot Street, Suite 200, Greeneville, Tennessee 37743.

Mar. 9, 2016: Speaker, Jenkins Trial Competition, Knoxville, Tennessee. I spoke after the final round of the Jenkins Trial Competition about the practice of law in federal court. I have no notes, transcripts, or recordings. The address for the University of Tennessee College of Law is 1505 Cumberland Avenue, Knoxville, Tennessee 37996.

Feb. 19, 2016: Speaker, Student Council Courthouse Tour, Greeneville, Tennessee. I spoke with students who were members of Dobyns-Bennett High School's student council about naturalization ceremonies generally, their participation in the upcoming Naturalization Ceremony specifically, and led them in a tour of the courthouse. I have no notes, transcripts, or recordings. The address of Dobyns-Bennett High School is 1 Tribe Way, Kingsport, Tennessee 37664.

Dec. 20, 2015: Speaker, Portrait Unveiling Ceremony for the Honorable Robert Cupp, Jonesborough, Tennessee. I spoke about the legacy of Judge Cupp based on my experience with him when I practiced law. I have no notes, transcripts or recordings. The event was held at the George Jaynes Justice Center located at 108 West Jackson Boulevard, Jonesborough, Tennessee 37659.

July 31, 2015: Speaker, Investiture Ceremony, James H. Quillen United States Courthouse, Greeneville, Tennessee. Transcript supplied.

Apr. 20, 2015: Panelist, The Great Weed Debate, East Tennessee State University, Johnson City, Tennessee. I was the attorney on the panel and spoke about the criminal ramifications of using marijuana. I have no notes, transcripts or recordings. The address of East Tennessee State University, Culp University Center, is 412 J. L. Sehorn Jr. Road, Johnson City, Tennessee 37604.

Dec. 5, 2014: Speaker, Criminal Law Update 2014, Annual Review Seminar, Tennessee Association for Justice, Johnson City, Tennessee. Notes and PowerPoint supplied.

Dec. 16, 2013: Speaker, The Miranda Warning, The Bill of Rights, John Sevier Middle School, Kingsport, Tennessee. Notes supplied.

Dec. 13, 2013: Speaker, The Importance of our Constitution, John Sevier Middle School, Kingsport, Tennessee. I gave remarks to a social studies class about the importance of our Constitution and our federal criminal justice system. I have no notes, transcripts or recordings. The address of John Sevier Middle School is 1200 Wateree Street, Kingsport, Tennessee 37660.

Dec. 6, 2013: Speaker, 2013 Annual Review & Ethics, Annual Review Seminar, Tennessee Association for Justice, Johnson City, Tennessee. Notes supplied.

Dec. 7, 2012: Speaker, Criminal Law Update 2012, Annual Review Seminar, Tennessee Association for Justice, Johnson City, Tennessee. Notes and Powerpoint supplied.

Dec. 9, 2011: Speaker, 2011 Criminal Law and Procedure Review of Recent United States Supreme Court Cases and Tennessee Supreme Court Cases, Annual Review and Ethics Seminar, Tennessee Association for Justice, Johnson City, Tennessee. Notes and Powerpoint supplied.

Apr. 17, 2009: Speaker, Lunch and Learn, Tennessee Association of Criminal Defense Lawyers (TACDL), Johnson City, Tennessee. I spoke along with the Honorable Stacy Street about the latest developments in criminal law. I have no notes, transcripts or recordings. The address of TACDL is 530 Church Street Suite 300, Nashville, Tennessee 37243.

Apr. 4, 2008: Speaker, The 2008 President's Tour, Tennessee Association of Criminal Defense Lawyers, Kingsport, Tennessee. I spoke about the latest developments in criminal defense work. I have no notes, transcripts or recordings. The address for the Tennessee Association of Criminal Defense Lawyers is 530 Church Street, Suite 300, Nashville, Tennessee 37243.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Calvin Sneed, *Riverview's Annual Soul Food Dinner About Tradition, Culture*, Kingsport, Tennessee Times News, Mar. 6, 2017, at 1A. Copy supplied.

Becky Campbell, *Retired Judge Cupp Honored at Portrait Unveiling Ceremony*, Johnson City Press, Dec. 20, 2015, at 3A. Copy supplied.

Broderick L. Young, *The Honorable Clifton L. Corker*, Dicta, October 2015, at 26. Copy supplied.

Becky Campbell, *Not Your Friend Anymore? Attorney Gains Federal Magistrate's Job, Loses Facebook Friend List*, Johnson City Press, May 27, 2015, at 3A. Copy supplied.

Staff report, *Bob Jessee Remembered*, Johnson City Press, Aug. 22, 2014, at 8A. Copy supplied.

Ken Little, *UPDATE: Driver In Telford Bus Crash Given Probation, Diversion*, The Greeneville Sun, July 24, 2014. Copy supplied.

Gray to Be Sentenced This Week, Herald & Tribune, July 23, 2014 (approximate). Copy supplied.

Becky Campbell, *End of the Line, Bus Driver Enters Guilty Pleas in Wreck that Injured Students*, Johnson City Press, July 19, 2014, at 1A. Copy supplied.

Ken Little, *Driver in Crash Of School Bus To Learn Her Fate Wednesday*, The Greeneville Sun, July 19, 2015. Copy supplied.

Becky Campbell, *Bus Driver in Crash Could Face Trial if No Guilty Plea Today*, Johnson City Press, July 18, 2014, at 4A. Copy supplied.

Staff report, *Court Date Delayed Again for Bus Driver in Crash That Injured 26 Students*, CBS - 11 WJHL, July 3, 2014. Copy supplied.

Staff report, *Gray Bus Crash Case Set To Go To Trial March 20*, The Greeneville Sun, Dec. 4, 2013. Copy supplied.

Staff report, *New Attorney Questions Accuracy of Speed Reports in Case Against Bus Driver*, Herald & Tribune, Oct. 11, 2013. Copy supplied.

Becky Campbell, *Bus Crash Case Delayed Again*, Johnson City Press, Oct. 10, 2013, at 1A. Copy supplied.

WJHL News Channel 11, CBS television broadcast, Oct. 10, 2013 (estimated). Video and transcript supplied.

Staff report, *Man Sentenced to Prison in Restaurant Shooting*, Johnson City Press, Oct. 5, 2013, at 4A. Copy supplied.

Staff report, *Plea Deal Reached in Kingsport Waffle House Shooting Case*, CBS - 11 WJHL, Sept. 27, 2013. Copy supplied.

Becky Campbell, *Drug Charge Against ex-ETSU Basketball Player Dismissed*, Johnson City Press, Sept. 21, 2013, at 4A. Copy supplied.

Staff report, *Prosecutors Not Moving Forward with Drug Case Against Former ETSU Basketball Player*, CBS - 11 WJHL, Sept. 19, 2013. Copy supplied.

Nate Morabito, *Animal Clinic Employee Indicted on Forgery Charge*, CBS - 11 WJHL, July 1, 2013. Copy supplied.

Becky Campbell, *Cancer Center's ex-business Manager Enters Guilty Plea*, Johnson City Press, Apr. 2, 2013, at 7A. Copy supplied.

Staff report, *Former McLeod Cancer and Blood Center Business Manager Sentenced to Probation*, CBS - 11 WJHL, Apr. 2, 2013. Copy supplied.

Becky Campbell, *Friends, Fellow Lawyers Remember Hardworking Client Advocate Slagle*, Johnson City Press, Mar. 7, 2013, at 1A. Copy supplied.

Becky Campbell, *Local Oncologist at Center of Federal Probe to Retire*, Johnson City Press, Oct. 11, 2012, at 1A. Copy supplied.

Becky Campbell, *Cancer Center Manager Pleads Guilty*, Johnson City Press, Sept. 20, 2012, at 1A. Copy supplied.

Becky Campbell, *Convicted Murderer Cooperating With State*, Johnson City Press, Jun. 13, 2012, at 1B. Copy supplied.

Nate Morabito, *Former Teacher Pleads Guilty to Lesser Charge, Avoids Jail*

Time, Bristol Herald Courier, Dec. 20, 2010. A clip of an interview can be found at: https://www.heraldcourier.com/news/former-teacher-pleads-guilty-to-lesser-charge-avoids-jail-time/article_f7a183eb-6266-558f-99bc-24d275a0e672.html.

Jim Balloch, *Officials: Remains Are Those of Missing Teen*, Knoxville News Sentinel, Nov. 6, 2010. Copy supplied.

Staff report, *Man Granted Judicial Diversion in Accident Case*, Johnson City Press, Sept. 26, 2007, at 2B. Copy supplied.

Abby Morris-Frye, *Miller Found Guilty, Jury Returns Conviction for First-degree Murder*, Elizabethton Star, May 13, 2007, at 1A. Copy supplied.

Dee Goodin, *Surprise Testimony Leads to Mistrial, Judge Grants Motion After Unexpected Statement by Pathologist in Miller Trial; New Trial Set for May*, Johnson City Press, Mar. 29, 2007, at 1A. Copy supplied.

Staff report, *Two Men Get Lighter Sentences Because They Aided Murder Probe*, The Greeneville Sun, June 7, 2006. Copy supplied.

Becky Campbell, *Murray Fired by City Police, Hired by Sheriff's Department*, Kingsport Times-News, Nov. 19, 2005. Copy supplied.

Becky Campbell, *Griffin's Decision: Kingsport Police Officer Must Resign or Be Fired*, Kingsport Times-News, Nov. 18, 2005, at 1A. Copy supplied.

Dee Goodin, *Hawk Petitions Tennessee Supreme Court for Speedy Trial*, Kingsport Times-News, May 5, 2005, at 7B. Copy supplied.

Jim Wozniak, *Probe Turns to New Figure in Body Parts Case*, Johnson City Press, Jan. 26, 2005. Copy supplied.

Jim Wozniak, *Man Charged With Murder Wants Lie Test*, Johnson City Press, Jan. 21, 2005. Copy supplied.

Jim Wozniak, *State's High Court to Hear Hawk's Speedy Trial Case, Mother Doesn't Want to Wait Until After Son's Double-Murder Trial*, Johnson City Press, Jan. 19, 2005, at 3B. Copy supplied.

Jim Wozniak, *Mother Trying to Cope with Son's Slaying*, Johnson City Press, Jan. 6, 2005. Copy supplied.

Jim Wozniak, *Judge Restores Adkins' Sentence*, Johnson City Press, Nov. 11, 2004. Copy supplied.

Jim Wozniak, *Hawk's Request for Speedy Trial Goes Unheeded by Appellate Court*, Johnson City Press, Oct. 28, 2004. Copy supplied.

Jim Wozniak, *DUI Conviction Throws Wrench in Proceedings*, Johnson City Press, Aug. 31, 2004. Copy supplied.

Jim Wozniak, *Hawk Wants Police to Return Belongings*, Johnson City Press, Aug. 29, 2004. Copy supplied.

Jim Wozniak, *Suspect in Carter Rape, Suffocation Pleads Not Guilty*, Johnson City Press, May 8, 2004, at 1A. Copy supplied.

Jim Wozniak, *Convicted Killer Trying New Appeals Approach*, Johnson City Press, Apr. 14, 2004, at 3B. Copy supplied.

Jim Wozniak, *Hawk Can Keep Court-Appointed Defense Attorney*, Kingsport Times-News, Feb. 26, 2004. Copy supplied.

Jim Wozniak, *Attorney Says He is Looking for Ways for Client to Avoid Return to Death Row*, Johnson City Press, Dec. 19, 2003. Copy supplied.

Staff report, *Mother of Dismemberment Suspect Goes on Trial Dec. 15*, The Oak Ridger, Nov. 27, 2003. Copy supplied.

Jim Wozniak, *Judge: Hawk Likely to Leave Jail in December*, Johnson City Press, Nov. 22, 2003. Copy supplied.

Jim Wozniak, *Rape Case Wraps Up with 11th-hour Deal that Brings Probation*, Johnson City Press, Nov. 6, 2003. Copy supplied.

Staff report, *Lawyer Plans to Fight Request to Insert Words Into Hawk's Indictment*, Johnson City Press, Oct. 30, 2003 (estimated). Copy supplied.

Jim Wozniak, *Hawk's Dismissal Request Ignored*, Johnson City Press, Oct. 17, 2003. Copy supplied.

Jim Wozniak, *Suit Threatened if Holmes Kept in Jail*, Johnson City Press, Oct. 15, 2003, at B1. Copy supplied.

Jim Wozniak, *Prosecution, Defense Wrangle Over Issues as Hawk Trial Nears*, Johnson City Press, Oct. 8, 2003. Copy supplied.

Jim Wozniak, *Parents May Get Back Girl Kept in Cage*, Johnson City Press, Oct. 3, 2003. Copy supplied.

Jim Wozniak, *Prosecutors Hope to Return Inmate to Death Row*, Johnson City Press, Oct. 1, 2003 (estimated). Copy supplied.

Jim Wozniak, *Lawyer With Experience in Death Penalty Cases to Defend Convicted Killer*, Johnson City Press, Sept. 27, 2003. Copy supplied.

Jim Wozniak, *Cupp to Preside Over Hawk Trial*, Johnson City Press, Sept. 13, 2003. Copy supplied.

Staff report, *Judge Turns Case Over Against Mother Accused of Helping Cover Up Murder*, The Oak Ridger, Sept. 8, 2003. Copy supplied.

Judge Recuses Himself from Case, News Channel 11, Sept. 6, 2003. Copy supplied.

Jim Wozniak, *New Judge to Assume Control of Hawk Case*, Johnson City Press, Sept. 6, 2003. Copy supplied.

Jim Wozniak, *Hawk Wants Evidence Suppressed, Attorney Says Police Violated State Search and Seizure Provisions*, Johnson City Press, Aug. 30, 2003, at 4A. Copy supplied.

Jim Wozniak, *Ties to Willis – Passport Application Evidence Keeps Mother's Bond at \$50,000*, Johnson City Press, July 23, 2003. Copy supplied.

Corey Shoun, *Judge Refuses Bond Reduction for Alleged Accessory to Murder*, Kingsport Times-News, July 23, 2003, at 1B. Copy supplied.

Staff report, *Hawk, Willis Appear in Johnson City Court*, Cleveland Daily Banner, July 23, 2003. Copy supplied.

Jim Wozniak, *Hawk Seeks Trials on Separate Counts*, Johnson City Press, July 19, 2003. Copy supplied.

Jim Wozniak, *Sentences Cut, Judge Decides Jail, Probation Time for Cat Couple Too Severe*, Johnson City Press, July 18, 2003, at 1A. Copy supplied.

Jim Wozniak, *Judge to Reconsider Cat Case*, Johnson City Press, July 12, 2003, at 1A. Copy supplied.

Jim Wozniak, *Cat Couple Say They Want Trial, Lawyer Says Image of Pair Has Been Distorted by Media*, Johnson City Press, June 20, 2003 (estimated). Copy supplied.

Becky Campbell, *Prosecutor Opposes Bond Reduction for Emma Hawk*, Kingsport Times-News, June 18, 2003, at 3B. Copy supplied.

Jim Wozniak, *Pay Dispute, Slaying at Issue for Court*, Johnson City Press, May 9, 2003, at 3. Copy supplied.

Jim Wozniak, *Emma Hawk Enters Not-guilty Plea*, Johnson City Press, Apr. 15, 2003. Copy supplied.

Jim Wozniak, *Judge Gives Prosecutors Month on Seeking Death*, Johnson City Press, Mar. 23, 2003, at 3. Copy supplied.

Jim Wozniak, *Ali set Free After 10-year Term*, Johnson City Press, Dec. 5, 2002, at 1. Copy supplied.

Jim Wozniak, *Man to Get New Day in Court*, Johnson City Press, Dec. 4, 2002, at 3. Copy supplied.

Jim Wozniak, *Woman Sues Three after Death of Daughter*, Johnson City Press, Oct. 3, 2002, at 5. Copy supplied.

Jim Wozniak, *Jeweler Pleads Guilty to Thefts*, Johnson City Press, July 27, 2002. Copy supplied.

Jim Wozniak, *Conviction in Slaying Upheld*, Johnson City Press, July 12, 2002. Copy supplied.

Staff report, *Charge Dismissed against Man in Store Robbery*, Johnson City Press, Mar. 3, 2002 (estimated). Copy supplied.

Staff report, *Man Pleads Guilty to Arson*, Johnson City Press, Nov. 1, 2001. Copy supplied.

Jim Wozniak, *Man Says Judge Made Six Errors*, Johnson City Press, Feb. 3, 2001, at 6. Copy supplied.

Jim Wozniak, *Man Gets 15 Years in Hatchet Slaying*, Johnson City Press, Jan. 20, 2001, at 1. Copy supplied.

Staff report, *1 Sentenced to Prison for Drug Sale*, Johnson City Press, 2000 (estimated). Copy supplied.

Staff report, *Public Defender Out of Ali Case*, Johnson City Press, Nov. 1, 2000, at 6. Copy supplied.

Kathy Helms, *Hampton Man found Guilty of Selling Heroin; Faces 20 Years*, Elizabethton Star, Jan. 15, 2000. Copy supplied.

Betsy Kauffman, *No Settlement Made on Convicted Doctor's Morristown Clinics*, Knoxville News Sentinel, Apr. 15, 1995. Copy supplied.

Jim Balloch, *Doctor Keeps Clinic at Bean Station*, Knoxville News-Sentinel, Mar. 4, 1995. Copy supplied. Reprinted in multiple outlets.

Jim Stratton, *Hunt for Law Dean on Hold – 3 Finalists Fail to Qualify for W&M Post*, Daily Press, Mar. 3, 1993. Copy supplied.

Jennifer Powell, *Speaker Incites Protests From Students and Locals*, The Breeze, Apr. 27, 1989, at 3. Copy supplied.

Jennifer Powell, *Students Rally Outside Convo, Vent Opinions*, The Breeze, Jan. 30, 1989, at 1–2. Copy supplied.

Wendy Warren, *Student Political Groups Debate Issues on Election Eve*, The Breeze, Nov. 10, 1988, at 3. Copy supplied.

Alex Pedersen, *Students for America Faces Much Opposition*, The Breeze, Oct. 10, 1988, at 16. Copy supplied.

Susan Nelson, *Campus Groups Prepare for 1988 Elections*, The Breeze, Jan. 28, 1988, at 1. Copy supplied.

I additionally was interviewed occasionally by the local television stations WJHL and WCYB regarding various criminal cases I was handling when I was in private practice. I contacted those stations but was not able to locate copies of these interviews.

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

Since May 1, 2015, I have served as a United States Magistrate Judge appointed by the United States District Court for the Eastern District of Tennessee. The authority of federal magistrate judges is defined by 28 U.S.C. § 636. As a magistrate judge, I preside over a wide variety of federal civil and criminal matters. In the Eastern District of Tennessee, I am assigned all criminal and civil cases that are filed in the Northeastern Division, at Greeneville. The parties have the option to consent to my jurisdiction, in which case, I am authorized to handle the case as the district judge would. In cases in which the parties do not consent, I routinely handle most pretrial non-dispositive motions and resolve discovery disputes, and issue reports and recommendations on dispositive matters. Regarding criminal matters, I review and issue search and seizure warrants, conduct initial appearance, detention and preliminary hearings, and arraignments. For misdemeanor cases, I handle the entire case, including guilty pleas and sentencing hearings.

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

I have presided over two criminal misdemeanor trials. All the civil jury trials I would have handled have settled prior to trial.

i. Of these, approximately what percent were:

jury trials:	0 %
bench trials:	100 %
civil proceedings:	0%
criminal proceedings:	100%

I have presided over the pretrial phase of approximately 520 criminal case filings involving 981 defendants. For pretrial criminal matters, I conduct initial appearances, address pretrial detention and issue orders on all pretrial motions, including motions in limine, address evidentiary objections, and issue reports and recommendations on any motions to suppress or dismiss the indictment.

Since taking the bench in May 2015, the parties have consented to my jurisdiction in 149 cases. I have closed a total of 135 civil cases since May 2015. I have issued 50 Reports and Recommendations in criminal cases and 113 Reports and Recommendations in civil cases.

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

See attached list.

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

1. *Anderson v. Washington Cty. Bd. of Edu.*, No. 2:14-cv-228-MCLC (E.D. Tenn. Feb. 16, 2016). Copy supplied.

Anderson sued the Washington County Board of Education after its Director of Schools banned her from all school property and the building where the Board holds its public meetings. The Director required her to seek his permission prior to her appearing on school property or at any public school board meetings. He banned her as a result of a dispute between Anderson and a school's athletic director at a sporting event. I ruled that Anderson did not have a substantive due process right to access the public school property and that the Director was within his authority to ban her from school property. However, I found the Director's requirement that she seek his permission prior to her attending public school

board meetings violated her First Amendment right to attend such meetings and be heard. After issuing the opinion, the case settled.

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2. *Lawson v. Yes Express, Inc.*, No. 2:14-CV-245, 2015 WL 12953184 (E.D. Tenn. Sept. 22, 2015). Copy supplied.

Ashely Lawson was killed in a trucking accident. She left behind one daughter, a minor child. Mr. Jordan Stiles, the child's father, was not married to Ashley Lawson. Days after Ashley Lawson died, Jennifer Lawson, Ashley's mother, qualified to serve as the Administratrix of her daughter's estate and immediately sued Yes Express for wrongful death. The child's father soon after also filed a wrongful death suit and wanted to control the litigation. Applying Tennessee law, I held that the administrator had had priority to control the litigation.

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3. *Cobble v. 20/20 Commc'ns, Inc.*, No. 2:17-CV-00053-TAV-MCLC, 2017 WL 8894627 (E.D. Tenn. Nov. 2, 2017), *report and recommendation adopted*, 2018 WL 1026272 (E.D. Tenn. Feb. 23, 2018). Copy supplied.

Plaintiff filed a collective action under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.*, alleging that Defendant had required him and other similarly situated employees to work more than 40 hours a week. Defendant filed a motion to transfer the case to Texas based on a forum-selection clause contained in the parties’ employment contract. I recommended the case be transferred to Texas. Plaintiff objected to my report and recommendation. The district court overruled the objection and transferred the case to Texas.

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4. *United States v. Lopez*, No. 2:17-CR-00062-PLR, 2017 WL 9517540 (E.D. Tenn. Aug. 14, 2017), *report and recommendation adopted in part, rejected in part*, 2017 WL 6347850 (E.D. Tenn. Dec. 12, 2017)

Defendant was registered under the Deferred Action on Childhood Arrivals (“DACA”). When he was arrested for DUI, the state trooper discovered two loaded firearms under his car seat. He was indicted by a federal grand jury for being in the United States illegally and unlawfully and possessing firearms. Defendant moved to dismiss the indictment claiming that the criminal statute, 18 U.S.C. § 922(g)(5)(A) was unconstitutionally vague. I recommended that the motion be denied. The district court found the statute unconstitutionally vague and dismissed the indictment. Copy supplied.

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5. *Moore v. Western Carolina Treatment Center*, No. 2:12-cv-394 (E.D. Tenn. Jan. 26, 2016). Copy supplied.

Plaintiff filed a personal injury suit against defendant, a methadone clinic in North Carolina, after she was injured when defendant’s patient caused an automobile accident in Tennessee. Plaintiff sought to assert a claim for punitive damages and the question became whether Tennessee or North Carolina law should apply to

determine applicability of punitive damages. I found that North Carolina law applied because a state does not have a legitimate interest in imposing punitive damages for conduct that occurred outside its state.

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6. *Whalewisdom v. Puckett*, No. 2:16-cv-28-MCLC (E.D. Tenn. Sept. 22, 2016). Copy supplied.

Plaintiff formed a website called whalewisdom.com. Customers would use the site to observe stock movements of well-known money managers. The parties entered into an agreement regarding defendant's purchase of 49 percent of the company for \$162,500. The terms of the payment of those funds were addressed in the contract. The parties disagreed as to the meaning of the contractual terms and thus filed suit. I found the contract enforceable and interpreted the contract according to the natural and ordinary meaning of the words in the contract. I

found that plaintiff had breached the contract and reserved the issue of damages. The parties settled.

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7. *Renner v. Howard Transportation*, No. 2:15-cv-157-MCLC (E.D. Tenn. Mar. 1, 2017). Copy supplied.

Renner sued Howard Transportation for injuries as a result of a trucking accident. Renner also sued for punitive damages, claiming that the truck driver was grossly negligent in his operation of the vehicle. I granted summary judgment on the punitive damages claim, dismissing that aspect of the case. The case settled after I dismissed the punitive damage component.

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8. *Rogers v. Hobby Lobby Stores, Inc.*, No. 2:14-CV-379, 2016 WL 7799583 (E.D. Tenn. June 29, 2016). Copy supplied.

Rogers sued Hobby Lobby for personal injuries as a result of her falling in the store. She alleged Hobby Lobby was negligent. Both parties filed motions for summary judgment. After argument, I dismissed the case finding that Hobby Lobby was not negligent. The case was not appealed.

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9. *Am. Water Heater Co. v. Taylor Winfield Corp.*, No. 2:16-CV-00125-CLC, 2017 WL 7732713 (E.D. Tenn. Nov. 17, 2017), *objections overruled sub nom. Am. Water Heater Co. v. Taylor-Winfield Techs., Inc.*, 2018 WL 3339189 (E.D. Tenn. Jan. 23, 2018). Copy supplied.

American Water Heater (AWH) sued Taylor Winfield (TWC) for breach of contract, alleging that TWC failed to deliver to them two long seam welding machines within the time specified. AWH wanted to perform tests on the machines in the condition as they existed in May 2016 to show TWC breached the contract. AWH, however, could not test the machine in its present condition as the machines needed to be properly calibrated and gauge blocks reinstalled, a process that TWC claimed would take weeks and be very costly. In contrast, AWH claimed readying the machines for testing would only take a few days. To resolve the dispute, I applied the cost allocation provisions of Rule 26 and Rule 34 to fashion a remedy that gave TWC an incentive to have the equipment ready for testing promptly. The case is pending.

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10. *Anderson v. Lewis et al.*, No. 2:16-cv-142-MCLC (E.D. Tenn. Feb. 21, 2018). Copy supplied.

This was an excessive force case. Officers broke Anderson's pelvis when they were attempting to arrest him. In state court, they charged him with resisting arrest. Anderson filed a federal lawsuit, alleging the officers violated his constitutional rights by using excessive force in arresting him in violation of 42 U.S.C. § 1983. I dismissed his case. Anderson had been convicted of resisting arrest in state court. The amount of force the officers used and the timing of Anderson's injuries were important to resolving the case. Anderson was injured during his struggle with the officers when one of the officers fell on him, breaking his hip. He was injured when he was actively resisting the officer's efforts to subdue him. Had officers broken Anderson's pelvis after they had arrested him and had him under control, then his claim of excessive force would have been different. I found the force the officers used did not constitute excessive force.

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

1. *Herring v. SCI Tennessee Funeral Servs., LLC*, No. 2:15-CV-00280, 2018 WL 2406008 (E.D. Tenn. May 4, 2018)

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2. *Holt v. Lauderdale-Hamilton, Inc.*, No. 2:16-CV-00092-MCLC, 2017 WL 887380 (E.D. Tenn. Mar. 1, 2017)

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3. *United States v. Lopez*, No. 2:17-CR-00062-PLR, 2017 WL 9517540 (E.D. Tenn. Aug. 14, 2017), *report and recommendation adopted in part, rejected in part*, 2017 WL 6347850 (E.D. Tenn. Dec. 12, 2017)

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4. *Anderson v. Washington County Bd. of Edu.*, No. 2:14-cv-228-MCLC
(E.D. Tenn. Feb. 16, 2016)

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5. *Moore v. Western Carolina Treatment Center*, No. 2:12-cv-394 (E.D.
Tenn. Jan. 26, 2016)

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6. *United States v. Ferguson, et al.*, No. 2:16-cr-103, Doc. 161 (E.D. Tenn. Jan. 29, 2018).

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7. *Lawson v. Yes Express, Inc.*, No. 2:14-CV-245, 2015 WL 12953184 (E.D. Tenn. Sept. 22, 2015)

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8. *Cobble v. 20/20 Commc'ns, Inc.*, No. 2:17-CV-00053-TAV-MCLC, 2017 WL 8894627 (E.D. Tenn. Nov. 2, 2017), *report and recommendation adopted*, 2018 WL 1026272 (E.D. Tenn. Feb. 23, 2018)

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9. *Anderson v. Lewis et al.*, No. 2:16-cv-142-MCLC (E.D. Tenn. Feb. 22, 2018)

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10. *United States v. Fortune*, No. 2:15-CR-00132-RLJ, 2017 WL 1367050, (E.D. Tenn. Mar. 24, 2017), *report and recommendation adopted*, 2017 WL 1347575 (E.D. Tenn. Apr. 11, 2017), *objections overruled*, (E.D. Tenn. Aug. 8, 2017)

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

Certiorari has not been requested or granted in any of my cases.

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

1. *McMillan v. Colvin, Commissioner of Social Security*, No. 2:15-cv-167 (E.D. Tenn. Aug. 30, 2016). Copy supplied.

Judge Ronnie Greer did not accept my Report and Recommendation to affirm the Administrative Law Judge's denial of Social Security disability benefits. He found that the ALJ should have considered Listing 1.05(B) of 20 C.F.R., Part 404, Subpart P, Appendix 1. This listing requires a claimant have an amputation of "[o]ne or both lower extremities at or above the tarsal region, with stump complications resulting in medical inability to use a prosthetic device to ambulate effectively, as defined by 1.00B2b, which have lasted or are expected to last for at least 12 months." The physician concluded he had expected improvement and fitted him with a new device before the administrative hearing. McMillan had not argued that he met that listing. The district court reversed my decision, finding that the ALJ should have evaluated Listing 1.05(B) regardless of whether the claimant had raised the issue and noted that while the claimant's physician expected improvement, there was an issue about whether the claimant's condition actually improved. The case was remanded for the ALJ to consider the listing.

2. *United States v. Lopez*, No. 2:17-CR-00062-PLR, 2017 WL 9517540 (E.D. Tenn. Aug. 14, 2017), *report and recommendation adopted in part, rejected in part*, No. 2:17-CR-62, 2017 WL 6347850 (E.D. Tenn. Dec. 12, 2017). Copy supplied.

Defendant was registered under the Deferred Action on Childhood Arrivals. When he was arrested for DUI, the state trooper discovered two loaded firearms under his car seat. He was indicted by a federal grand jury for being in the United States illegally and unlawfully and possessing firearms in violation of 18 U.S.C. § 922(g)(5). Defendant moved to dismiss the indictment claiming that the criminal statute, 18 U.S.C. § 922(g)(5)(A) was unconstitutionally vague. I recommended that the motion be denied. The district court disagreed and found the statute unconstitutionally vague as applied and dismissed the indictment.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

As a United States Magistrate Judge, many of my decisions are not selected for publication. I estimate that in my approximately three and a half years as a magistrate judge, I have issued over one hundred unreported opinions, representing approximately 40 percent of my total opinions. I have not requested

that a decision be published, however, most of my decisions whether Reports and Recommendations or Memorandum Opinions and Orders are available on databases such as Westlaw and LexisNexis. These databases will indicate whether the decision is published or not. All reported and unreported opinions I have issued are filed and stored on CM/ECF, the federal court Case Management/Electronic Case Files system.

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

United States v. Lopez, No. 2:17-CR-00062-PLR, 2017 WL 9517540 (E.D. Tenn. Aug. 14, 2017), *report and recommendation adopted in part, rejected in part*, 2017 WL 6347850 (E.D. Tenn. Dec. 12, 2017) (appeal pending).

Anderson v. Washington County Bd. of Edu. et al., No. 2:14-cv-00228-MCLC (E.D. Tenn. Feb. 16, 2016).

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

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

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

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

As a United States Magistrate Judge, I follow the federal recusal statutes and Code of Conduct for United States Judges. I assess recusal concerns in accordance with 28 U.S.C. § 455. Whether specifically addressed by the Code of

Conduct for United States Judges, the recusal statutes, or solely based on my interest in maintaining impartiality or the appearance of impartiality, I would disclose any potential conflicts and recuse myself as appropriate. In each case, I personally review the identity of the parties and counsel upon filing as well as all appearance notices to assess if recusal is warranted. Additionally, I have provided a list companies in which I own stock to the clerk of court so that our system of assigning cases will automatically exclude me from participating in any case in which those companies are a party.

I recused myself *sua sponte* in the following cases because I previously represented a party named in the case or in a related case:

Griffin v. Lindamood, No. 2:16-cv-188-JRG-HNG.

United States v. Buchanan, 2:10-cr-118-JRG-SKL-2.

Buchanan v. United States, 2:14-cv-141-JRG.

United States v. Trice, No. 2:07-cr-90-JRG-DHI.

United States v. Brobeck, No. 2:09-cr-02-JRG-CCS.

United States v. Williams, No. 2:07-cr-00011-JRG-DHI-1.

United States v. Williams, No. 2:12-cr-69-JRG.

Perry v. Carter County, Tennessee et al., No. 2:17-cv-213-DCP.

United States v. Garland, No. 11-cr-75-JRG-CSS.

United States v. Wells, No. 2:14-cr-02-JRG-SKL.

United States v. Leeper and Roark, No. 2:18-cr-36-JRG.

Hearing v. Lindamood, 2:18-cv-94-TWP.

United States v. Jerry Craig and Bradley Craig, No. 2:18-cr-105.

I recused myself *sua sponte* in the following cases because I knew a close family member of one of the parties to the litigation:

Sullivan v. Berryhill, No. 2:16-cv-361-HBG.

15. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices,

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

I have never held public office nor been recognized as a candidate for such an office. I unsuccessfully applied for a position on the Tennessee Court of Criminal Appeals in Knoxville, Tennessee (2006).

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

I served as a member at large on the Sullivan County Republican Executive Committee from approximately 2012 to 2013. It was a volunteer position.

I campaigned door-to-door in area neighborhoods for Mr. Wally Boyd who was running in the Republican primary for Tennessee State Senate in 1996. It was a volunteer position. I held no position in the campaign.

I campaigned door-to-door for George H.W. Bush during the presidential campaign in 1988. This was a volunteer position. I held no position in the campaign.

I campaigned door-to-door for Charlie Judd, who was a candidate for congress in 1988 in Harrisonburg, Virginia. It was a volunteer position. I held no position in the campaign.

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

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

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

From August 1993 through September 1994, I served a judicial law clerk to the Honorable Cynthia Kinser, United States Magistrate Judge for the United States District Court for the Western District of Virginia in Abingdon.

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

1996 – 2012

Clifton L. Corker, Attorney at Law

205 West Walnut Street
Johnson City, Tennessee 37604

2012 – 2015
Clifton L. Corker, Attorney at Law
119 East Watauga Avenue
Johnson City, Tennessee 37601

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

1994 – 1995
Federal Defender Services
219 West Depot Street
Suite 200
Greeneville, Tennessee 37743
Volunteer

1995 – 1996
Terry, Terry & Stapleton
918 West 1st North Street
Morristown, Tennessee 37814
Attorney

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

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

b. Describe:

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

From 1995 to 1996, I worked for a small law firm whose focus was primarily litigation. My first jury trial with this firm was a federal criminal trial in London, Kentucky that lasted five weeks.

From 1996 to 2015, I practiced law as a solo practitioner in Johnson City, Tennessee. I handled almost exclusively cases that involved litigation. The local judges appointed me to handle juvenile delinquent matters, dependency and neglect cases, misdemeanor cases, and appointed me as a guardian ad litem to represent the best interests of minors in court. I also

accepted cases from Legal Aid in Johnson City, Tennessee where I represented indigent clients in divorce proceedings.

During this time, I developed an active criminal defense and personal injury practice. I was qualified to serve on the Criminal Justice Act (CJA) panel to represent indigent defendants in federal court. Both the federal and state court judges appointed me to represent defendants charged with serious felony offenses ranging from first degree murder to drug conspiracies. As a result, during my legal career, I tried over 25 jury trials. In addition to trial work, my practice also included an active appellate practice. I have represented parties before the Sixth Circuit Court of Appeals, the Tennessee Supreme Court, and both the Criminal and Civil Tennessee Court of Appeals.

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

As a solo practitioner and practitioner at Terry, Terry & Stapleton, my clients were diverse. I represented indigent defendants charged with serious criminal offenses, individuals in divorce proceedings, medical malpractice plaintiffs, police officers, and corporate executives, among others.

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

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 35% |
| 2. state courts of record: | 40% |
| 3. other courts: | 20% |
| 4. administrative agencies: | 5 % |

While in private practice, I frequently appeared in both federal and state courts of record. I estimate that I appeared approximately 30% of my time in federal court and 40% of my time in state courts of record. The balance of my time was in state general sessions court or before administrative courts. The frequency of my court appearances in each court has remained roughly consistent throughout my 20 years in practice.

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 25% |
| 2. criminal proceedings: | 75% |

- d. State the number of cases in courts of record, including cases before

administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

During my career as an attorney, I litigated approximately 150 cases in courts of record to verdict, judgment or final decision (as opposed to settlement). I tried at least 25 jury trials. In the majority of these cases, I served as chief counsel, but I also litigated cases as sole and associate counsel.

- i. What percentage of these trials were:
 1. jury: 20%
 2. non-jury: 80%

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the United States Supreme Court.

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

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *United States v. Gary Moore*, 390 F. App'x 503 (6th Cir. 2010).

From July 2008 through January 2011, I represented the defendant, Gary Moore. The United States had indicted him for a conspiracy to distribute 50 grams or more of cocaine base ("crack") in violation of 21 U.S.C. § 841(b)(1)(A). At the time, given Moore's criminal history, he faced the mandatory minimum of life in prison. During the search of the defendant, law enforcement had discovered over 50 grams of crack cocaine. I filed a motion to suppress the evidence on the grounds that the officers who searched him had no reasonable fear for their safety and did not have probable cause to conduct a search incident to arrest. Magistrate Judge Dennis Inman filed a report, recommending the motion be denied. I

objected and the court sustained the objections and suppressed the evidence. The United States appealed. The Sixth Circuit affirmed the district court's decision.

United States District Court: Hon. R. Leon Jordan

Sixth Circuit Court of Appeals: Hon. Damon Keith; Hon. Eric Clay; Hon. Richard Griffin

Assistant United States Attorney:

Donald W Taylor
Assistant United States Attorney
United States Attorney's Office for the Eastern District of Tennessee
220 West Depot Street
Suite 423
Greeneville, Tennessee 37743
423-639-6759

2. *United States v. Portela*, 469 F.3d 496 (6th Cir. 2006).

From August 2005 to April 2007, I represented the defendant, Mr. Portela on appeal. I argued on appeal that the district court erroneously enhanced the defendant's sentence by 16 levels by considering his prior Tennessee conviction for vehicular assault as a "crime of violence" under United States Sentencing Guideline § 2L1.2(b)(1)(A)(ii). The Sixth Circuit reversed the district court and held that a crime requiring only recklessness does not qualify as a "crime of violence." It vacated the sentence and remanded the case for resentencing.

United States District Court: Hon. J. Ronnie Greer

Sixth Circuit Court of Appeals: Hon. Boyce Martin; Hon. Deborah Cook; Hon. William Bertelsman

Assistant United States Attorney:

Nancy Stallard Harr
Assistant United States Attorney
United States Attorney's Office for the Eastern District of Tennessee
220 West Depot Street
Suite 423
Greeneville, Tennessee 37743
423-639-6759

3. *State v. Hawk*, 170 S.W.3d 547 (Tenn. 2005).

From 2002 to 2005, I represented the defendant Ms. Hawk, who was charged with accessory after the fact to first degree murder. When the trial court declined to set her case for trial, I filed an interlocutory appeal to the Court of Criminal Appeals

and then to the Tennessee Supreme Court. The Tennessee Supreme Court took the case and addressed whether the Tennessee Criminal Sentencing Reform Act of 1989 abrogated the common law rule that a principal must be tried and convicted *before* an accessory after the fact may be tried; and whether a defendant is entitled to interlocutory review of the trial court's order denying her motion to dismiss the indictment because of an alleged violation of her Sixth Amendment right to a speedy trial. The Tennessee Supreme Court affirmed the trial court's ruling that the Sentencing Reform Act did not abrogate the common law rule requiring the principal to be tried first before the accessory.

Criminal Court: Hon. Robert Cupp

Tennessee Supreme Court: Hon. E. Riley Anderson; Hon. William Barker; Hon. Adolpho Birch, Jr.; Hon. Frank Drowota, III; Hon. Janice Holder

Attorney General and Reporter:

Paul G. Summers
P.O. Box 20207
Nashville, Tennessee 37202
615-741-2009

Assistant Attorney General:

Michelle Chapman McIntire
P.O. Box 20207
Nashville, Tennessee 37202
615-741-2009

Assistant District Attorney General:

Dennis Brooks
108 West Jackson Blvd.
Jonesborough, Tennessee 37659
423-753-5020

4. *State v. Saylor*, 117 S.W.3d 239 (Tenn. 2003).

I represented defendant Saylor from 1999 to 2003. Saylor was charged with second degree murder. A jury convicted him of voluntary manslaughter. I appealed his conviction, arguing that Article I, Section 9, of the Tennessee Constitution pertaining to his right to counsel had been violated when officers continued to interrogate him about the murder after he had equivocally requested counsel. The Tennessee Supreme Court held that a valid invocation of the right to counsel is the same under the Tennessee Constitution as the U.S. Constitution and gives no broader protection. I also argued that the uncommunicated threats were admissible. The Supreme Court found that the trial court had erred in excluding the evidence but found the error harmless.

Criminal Court: Hon. Lynn Brown

Tennessee Supreme Court: Hon. E. Riley Anderson; Hon. William Barker; Hon. Adolpho Birch, Jr.; Hon. Frank Drowota, III; Hon. Janice Holder

Attorney General and Reporter:

Paul G. Summers
P.O. Box 20207
Nashville, Tennessee 37202
615-741-2009

Assistant Attorney General:

Michelle Chapman McIntire
P.O. Box 20207
Nashville, Tennessee 37202
615-741-2009

Assistant District Attorney:

Janet Hardin
1500 West Elk Avenue
Suite 208
Elizabethton, Tennessee 37643
423-547-5897

5. *United States v. Williams*, No. 2:07-cr-00057-JRG-DHI-1 (E.D. Tenn. Apr. 17, 2008).

I represented the defendant from March 2008 to April 2008. Mr. Williams was indicted for being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g). I tried the case to a federal jury over the course of three days. Defendant was acquitted.

United States District Court: Hon. J. Ronnie Greer

Assistant United States Attorney:

Mr. Robert Reeves
Assistant United States Attorney
United States Attorney's Office
for the Eastern District of Tennessee
220 West Depot Street
Suite 423
Greeneville, Tennessee 37743
423-639-6759

Mr. Brian Johnson

2802 North Highland Avenue, #A
Jackson, Tennessee 38305
731-451-3441

6. *United States v. Hall*, No. 2:01-cr-00027-1 (E.D. Tenn. Aug. 6, 2001).

I represented Mr. Hall from May 2001 to November 2001. Mr. Hall was charged with distributing over 100 grams of crack cocaine. I filed a motion to suppress challenging the authority of the associate municipal judge for the City of Johnson City, Tennessee to sign a state search warrant. The district court found that the municipal judge had no legal authority to issue search warrants under state law and suppressed the evidence. As a result of this ruling, the way in which municipal court conducted its business completely changed. Defendant entered a plea agreement on other pending charges.

United States District Court: Hon. Thomas G. Hull

Assistant United States Attorney:

Mr. D. R. Smith
Law Office of D. R. Smith
132 Boone Street
Suite 7
Jonesboro, Tennessee 37659
423-913-4367

Ms. Caryn L. Hebets
Assistant United States Attorney
United States Attorney's Office for the Eastern District of Tennessee
800 Market Street
Suite 211
Knoxville, Tennessee 37902
865-545-4167

7. *State v. Gray*, No. 38349 (Washington County, Tennessee 2014).

I represented Ms. Gray from 2013 to 2014 in Washington County Criminal Court in Jonesborough, Tennessee. She was charged with 39 counts of reckless aggravated assault resulting from a bus crash. There were multiple injuries to minor children. She had retained her first attorney who had negotiated a deal that could have resulted in Ms. Gray going to prison for 10 years. However, he died and did not complete the case. I agreed to take over the case *pro bono*. I negotiated a plea agreement and represented her in a sentencing hearing in which Judge Robert Cupp sentenced her to two years of probation.

Criminal Court: Hon. Robert Cupp

Assistant District Attorney General:

Ms. Erin McArdle
108 West Jackson Boulevard.
Jonesborough, Tennessee 37659
423-753-5020

8. *United States v. Stock*, 685 F.3d 621 (6th Cir. 2012).

I represented Mr. Stock from June 2009 to May 2014. Mr. Stock was charged with violating the Sex Offender Registration and Notification Act (“SORNA”). Mr. Stock pled guilty but challenged the constitutionality of SORNA and the District Judge J. Ronnie Greer’s application of the Sentencing Guidelines. The Sixth Circuit found SORNA constitutional but reversed the District Court, vacated the sentence and remanded for a new sentencing hearing.

United States District Court: Hon. J. Ronnie Greer

Sixth Circuit Court of Appeals: Hon. Raymond Kethledge; Hon. Jane Stranch;
Hon. James Gwin

Assistant United States Attorney:

Ms. Helen C. T. Smith
Retired

9. *United States v. Swiney*, 203 F.3d 397 (6th Cir. 2000).

I represented Mr. Swiney from January 1998 to September 2003 in his appeal to the Sixth Circuit Court of Appeals. The government argued that defendant should have received a statutory mandatory sentence 20 year sentence pursuant to 21 U.S.C. § 841(b)(1)(C) and U.S.S.G. § 2D1.1(a) because a death resulted from the use of heroin that had been distributed by a member of the conspiracy. This defendant had not distributed the heroin that caused the death, but another member of the conspiracy had. The district court found the enhancement did not apply because the defendant was not the proximate cause of the death. The government argued that the district court applied the wrong standard, arguing that the defendant should be held liable based on the theory of vicarious liability found in *Pinkerton v. United States*, 328 U.S. 640, 66 S. Ct. 1180 (1946). The Sixth Circuit disagreed and held that the scope of conduct a defendant can be held accountable under the Sentencing Guidelines is narrower than that encompassed under *Pinkerton*. The Sixth Circuit remanded the case for the district court to apply this standard under the Sentencing Guidelines.

United States District Court: Hon. Thomas G. Hull

Sixth Circuit Court of Appeals: Hon. Alan Norris; Hon. Richard Suhrheinrich;
Hon. Herman Weber

Assistant United States Attorney:

Mr. Dan R. Smith
Law Office of Dan R. Smith
132 Boone Street
Suite 7
Jonesboro, Tennessee 37659
423-913-4367

10. *Tennessee Farmers Mut. Ins. Co. v. Simmons*, No. E2013-01419-COA-R3CV, 2014 WL 3512995 (Tenn. Ct. App. July 15, 2014).

I represented the family of a minor child who was killed while operating an ATV. The case involved the interpretation of a homeowner's insurance policy to determine whether it provided coverage for the child's death. Given the location of the accident, the Circuit Court Judge Thomas Seeley, Jr. found the policy did not provide coverage. The Court of Appeals agreed with the trial court.

Circuit Court: Hon. Thomas J. Seeley, Jr.

Tennessee Court of Appeals: Hon. Thomas R. Frierson, II; Hon. Charles Susano, Jr.; Hon. D. Michael Swiney

Attorney for Tennessee Farmers Mutual Insurance Comp.:

Mr. David Shults
Shults & Shults
111 Gay Street
Erwin, Tennessee 37650
423-743-9179

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

As part of my practice as an attorney, I represented Second Harvest Food Bank *pro bono* in a significant dispute with the general contractor for the construction of its warehouse. I have also served on the legal committee at First Baptist Church, providing general legal advice. I additionally coached high school students in the state-wide mock trial program for a number of years.

I have not provided any lobbying activities to any clients or organizations, and I am not and have never been a registered lobbyist.

19. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses.

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

None.

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

I do not have any plans, commitments, or agreements to pursue outside employment during my service with the court.

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

When my nomination is formally submitted to the Senate and I file my Financial Disclosure Report, I will supplement this Questionnaire with a copy of that Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest**:

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

If confirmed, I will recuse in any litigation where I have ever played a role in

representing or advising any of the parties. I would also recuse myself in matters involving my family and my own financial interests. Lastly, I will evaluate any other real or potential conflict, or relationship that could give rise to an appearance of conflict, on a case-by-case basis and determine appropriate action, with the advice of parties and their counsel, including recusal where necessary. By way of the procedure we have in place in the Eastern District of Tennessee, I would be automatically recused from any case involving such a company. Apart from that, I am unaware of any family members, other persons, parties, categories of litigation, or financial arrangements that are likely to present potential conflicts of interest.

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

If confirmed I will continue to carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances. I will continue to maintain a list of cases in which I was directly involved as an attorney and actively screen parties in each case for potential conflicts. I will also continually update the list of companies in which I own stock so that the court's conflict system will automatically exclude me from participating in the case.

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

As a United States Magistrate Judge, I am prohibited from providing legal services (including *pro bono*) services.

When I practiced law, I served on the Access to Justice Committee of the Tennessee Bar Association. I also served on the Criminal Justice Act Panel for the Eastern District of Tennessee and occasionally on the Western District of Virginia, where I represented indigent criminal defendants at a rate much lower than my standard hourly rate. From August 1996 through April 2015, I was appointed by the Criminal Court judges in the First and Second Judicial Districts to represent indigent defendants in state court.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission

recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

After the Honorable J. Ronnie Greer announced his intention to take senior status as of June 30, 2018, I informed Senators Lamar Alexander's and Bob Corker's office of my interest in being considered for the vacancy. In June 2018, I interviewed with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice in Washington, D.C. On June 11, 2018, I received a phone call from Senator Alexander and the White House Counsel's Office informing me that I was being considered by the President to be nominated to replace U.S. District Judge Ronnie Greer. Since that time I have been in contact with attorneys from the White House Counsel's Office and the Office of Legal Policy. On October 10, 2018, the President announced his intention to submit my nomination to the Senate.

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

No.