

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Sean Patrick Costello

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

United States Attorney, Southern District of Alabama, U. S. Department of Justice

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.

United States Attorney's Office
Southern District of Alabama
63 S. Royal Street, Suite 600
Mobile, AL 36602

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

1973; Mobile, Alabama

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.

University of Alabama School of Law, 1996 – 1999
J.D. – May 1999

Georgetown University, 1991 – 1995
B.S. – May 1995

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.

United States Attorney's Office
Southern District of Alabama

63 S. Royal Street, Suite 600
Mobile, AL 36602

United States Attorney, March 2025 – Present
Assistant United States Attorney, February 2025 – March 2025
United States Attorney, February 2021 – March 2025
Chief, Criminal Division, April 2018 – February 2021
Deputy Chief, Criminal Division, September 2013 – April 2018
Assistant United States Attorney, July 2003 – September 2013

U. S. Department of Justice
Office of Justice Programs
810 7th Street, NW
Washington, DC 20001

(OJP has relocated to 999 North Capitol Street, NE, Washington, DC 20531)

Attorney Advisor, Office of the Assistant Attorney General, August 2002 – July 2003

Attorney Advisor, Office of General Counsel, October 2000 – August 2002

May 1998 – October 2000

United States Senate
Office of Senator Jeff Sessions
493 Russell Senate Office Building
Washington, DC 20510

Legislative Counsel, August 1999 – October 2000

Law Clerk, May 1998 – June 1998

January 1995 – August 1996

United States Senate
Office of Senator Richard Shelby
110 Hart Senate Office Building
Washington, DC 20510
Deputy Press Secretary

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 have registered for selective service.

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.

Exceptional Service Award, National Association of Former U.S. Attorneys, 2014

Order of the Barristers, University of Alabama School of Law, 1999

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.

Mobile Bar Association

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.

Alabama, September 1999

There have been no lapses in membership.

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

United States District Court for the Southern District of Alabama (July 2023)

There have been no lapses in membership.

11. **Memberships:**

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

Country Club of Mobile (2018 – Present)

Springhill Swim Club (2013 – 2015)

Red Elephant Club (2003 – Present)

- b. 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 my knowledge, none of these organizations 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.

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember.

Since becoming United States Attorney in January 2021, the office has issued press releases and statements on criminal and civil cases. All of the press releases are available at <https://www.justice.gov/usao-sdal/pr>.

I recall having one letter published written to the editor of the Georgetown University student newspaper, The Hoya, during my time as an undergraduate. The brief letter, probably published between 1993 and 1994, expressed my frustration that in every article mentioning then, President Clinton, the newspaper staff appended to his name “(SFS’68)” to indicate that he had graduated from the School of Foreign Service in 1968. I have searched diligently through my own files, publicly available electronic databases, and the Hoya’s website, but have been unable to locate a copy of this letter. I have located no other books, articles, reports, letters to the editor, editorial pieces, or other published material.

- 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.

I have done my best to identify any reports, memoranda, or policy statements I have prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. To the best of my recollection, I have not prepared or contributed to the publication of any reports, memoranda, or policy statements on behalf of any bar association, committee, conference, or organization of which I have been a member, and my searches

have not identified any such materials.

- 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.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. To the best of my recollection, I have not provided any testimony, official statements, or other communications relating to matters of public policy or legal interpretation presented to public bodies or public officials, and my searches have not identified any such materials.

- 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.

I have periodically presented at law enforcement trainings and have done my best to compile the details of these presentations. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have identified the following, and where available, have attached relevant materials from these presentations:

Law Enforcement Coordinating Committees for the United States Attorneys'
Offices in Alabama

Perdido Beach Resort

27200 Perdido Beach Boulevard, Orange Beach AL

August 28, 2025

Panel presentation with the U.S. Attorneys from the Middle and Northern Districts of Alabama to federal, state and local law enforcement officers at a statewide law enforcement conference. This presentation was an overview of the new Homeland Security Task Forces. The conference took place at the Perdido Beach Resort. I have provided copies of the presentation material.

Southeastern Leadership Executive Development Seminar

3700 Robert Trent Jones Trail

Opelika AL

November 2, 2023

Presentation to state and local law enforcement officers entitled, "Social Media & Law Enforcement." This presentation focused on investigative opportunities social media provides for investigators, and the risks to law enforcement officers of their own social media presence. It was given at the Southeastern Leadership Executive Development Seminar hosted by FBI Mobile at the Auburn Marriott Opelika Resort & Spa. I have provided copies of the presentation material.

University of Alabama School of Law
Guest Speaker, Advanced White Collar Crimes
101 Paul W. Bryant Drive
East, Tuscaloosa, AL
(Approximately 2015-2017)

On three occasions during the spring semesters, I presented guest lectures to the Advanced White Collar Crimes class taught by Professor James Barger at the University of Alabama School of Law. I spoke extemporaneously and without notes or materials on the topic of obstruction of justice, and specifically the contours and application of 18 USC § 1519.

Department of Justice
National Advocacy Center
1620 Pendleton Street
Columbia, SC
September 2016

Presentation to federal prosecutors specializing in child exploitation cases, entitled "Digital Forensic Must Haves in Peer-to-Peer (P2P) Cases." This presentation explored the legal, practical, and technical aspects of successfully investigating and prosecuting federal crimes facilitated by peer-to-peer filesharing software. I have provided a copy of the presentation material.

FBI Mobile Division
200 N. Royal Street, Mobile AL
May 2016

Working lunch presentation to Mobile FBI InfraGard working group in Mobile, Alabama entitled, "Surveillance, Security and Searches." The sponsor of the local InfraGard meeting was the FBI Mobile Division. This presentation outlined Constitutional limitations and statutory application of the Wiretap Act in surveillance and searches in a workplace environment. I have provided copies of the presentation material.

Internet Crimes Against Children Conference
Atlanta, GA
June 2015

Presentation to federal prosecutors at the Internet Crimes Against Children Conference in Atlanta, Georgia. This was a slightly modified version of the presentation noted above, tailored to emphasize digital forensic techniques. The sponsor of this course was the United States Department of Justice. I do not recall the specific location of the conference in Atlanta, and I have not been able to locate it in my searches. I have provided copies of the presentation material.

Dallas Children's Advocacy Center
5351 Samuell Boulevard
Dallas, TX
August 2014

Presentation at the Crimes Against Children Conference in Dallas, Texas entitled, "Peer-to-Peer Cases: The Lawyers' Perspective." The lead sponsor of the conference is the Dallas Children's Advocacy Center. The presentation was made at the Dallas Convention Center. This presentation focused on educating law enforcement officers and agents on investigative strategies and techniques to build solid child exploitation cases where subjects were using peer-to-peer filesharing software to trade child sexual exploitation material. I have provided copies of the presentation material.

FBI Mobile Division
200 N. Royal Street
Mobile, AL
November 2013

Working lunch presentation to Mobile FBI InfraGard working group in Mobile, Alabama. The sponsors of the local InfraGard meeting was the FBI Mobile Division and the audience were local businesses and industry partners. This presentation was an overview of the Department of Justice's Computer Hacking and Intellectual Property (CHIP) program and focused on the legal elements and practical processes for investigating and prosecuting trade secret crimes. I have provided a copy of the presentation materials.

SDAL LECC Northern Division Training
211 Washington Street
Selma, AL
June 10, 2011

Presentation at the Southern District of Alabama's Northern Division Law Enforcement Coordinating Committee's annual training conference entitled, "4th and 5th Amendment Review for Law Enforcement Officers." This presentation touched on practical application of Constitutional principles to daily law enforcement work, from reasonable suspicion to automobile searches to *Miranda* warnings to warrant exceptions. I have attached a copy of the presentation material.

- 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.

I have given brief interviews to a local television station following significant case developments such as indictments, convictions, or sentencings. I have included links to all of the relevant articles and releases that I have been able to locate through a search of my files, publicly available databases, and other searches:

‘The government does not lie’ – U.S. attorney disputes claims by Mobile man’s former lawyer, *Fox10 News*, August 4, 2025.

<https://www.fox10tv.com/2025/08/04/government-does-not-lie-us-attorney-disputes-claims-by-mobile-mans-former-lawyer/>

Immigration arrests in southern Alabama hit 500 mark, including 9 accused gang members, *Fox10 News*, May 16, 2025.

<https://www.fox10tv.com/2025/05/16/immigration-arrests-southern-alabama-hit-500-mark-including-9-accused-gang-members/>

No arrests in Mobile County after new Glock switch law, but prosecutors see value, *Fox10 News*, April 30, 2025.

<https://www.fox10tv.com/2025/04/30/no-arrests-mobile-county-after-new-glock-switch-law-prosecutors-see-value/>

2 twice-deported illegal immigrants with criminal past arrested in Baldwin County, *Fox10 News*, April 30, 2025.

<https://www.fox10tv.com/2025/04/25/2-twice-deported-illegal-immigrants-with-criminal-past-arrested-baldwin-county/>

First-of-its-kind federal indictment in Mobile shows Alabama’s connection to human smuggling, *Fox10 News*, April 25, 2025.

<https://www.fox10tv.com/2025/04/25/first-of-its-kind-federal-indictment-mobile-shows-alabamas-connection-human-smuggling/>

Authorities collaborate to stop violence after suspect identified in Publix shooting, *Fox10 News*, April 21, 2025.

<https://www.fox10tv.com/2025/04/22/authorities-collaborate-stop-violence-after-suspect-identified-publix-shooting/>

Long-anticipated federal charges filed in Prichard water board embezzlement case, *Fox10 News*, April 3, 2025.

<https://www.fox10tv.com/2025/04/03/long-anticipated-federal-charges-filed->

[prichard-water-board-embezzlement-case/](#)

Judge imposes life in prison on defendants responsible for trail of gunshot victims in Mobile shootings, *Fox10 News*, April 2, 2025.

<https://www.fox10tv.com/2025/04/02/judge-imposes-life-prison-defendants-responsible-trail-gunshot-victims-mobile-shootings/>

Mobile police continue search for fourth suspect in Happy Hill double murder, *Fox10 News*, February 21, 2022.

<https://www.fox10tv.com/2022/02/21/mobile-police-continue-search-fourth-suspect-happy-hill-double-murder/>

Feds are committed to combating violence in Mobile but say there's limits on what they can do, *Fox10 News*, January 27, 2023.

<https://www.fox10tv.com/2023/01/28/feds-are-committed-combating-violence-mobile-say-theres-limits-what-they-can-do/>

Federal Prosecutor: Most Glock chips in Mobile are homemade on 3D printers, *Fox10 News*, January 20, 2023.

<https://www.fox10tv.com/2023/01/21/federal-prosecutor-most-glock-chips-mobile-are-homemade-3d-printers/>

2.3 seconds of terror – illegal modified guns are hitting Mobile streets, *Fox10 News*, May 26, 2022.

<https://www.fox10tv.com/2022/05/26/23-seconds-terror-illegal-modified-guns-are-hitting-mobile-streets/>

Four people charged with the murders of Tony and Leila Lewis, *Fox10 News*, February 18, 2022.

<https://www.fox10tv.com/2022/02/19/four-people-charged-with-murders-tony-leila-lewis/>

Jury finds Marco Perez 'not guilty' of the two most serious charges in federal case, *Fox10 News*, October 7, 2021.

<https://www.fox10tv.com/2021/10/07/jury-finds-marco-perez-not-guilty-two-most-serious-charges-federal-case/>

No jail time for Tia Pugh in Mobile civil disturbance, federal judge rules, *Fox10 News*, August 19, 2021.

<https://www.fox10tv.com/2021/08/19/no-jail-time-tia-pugh-mobile-civil-disturbance-federal-judge-rules/>

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

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or

appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have not run for public office.

I have held the following appointed positions at the United States Department of Justice:

United States Attorney, Southern District of Alabama, March 2025 – Present.
I was appointed by Chief United States District Judge Jeffrey U. Beaverstock.

United States Attorney, Southern District of Alabama, June 2021 – February 2025.

I was appointed by Chief United States District Judge Kristi K. DuBose.

United States Attorney, Southern District of Alabama, February 2021 – June 2021.

I was appointed by Acting Attorney General Monty Wilkinson.

- 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 have not held a position or played a formal role in a political campaign.

14. **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;

I have not clerked for a judge.

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

I have not practiced alone.

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

January 1995 – August 1996
United States Senate
Office of Senator Richard Shelby
110 Hart Senate Office Building
Washington, DC 20510
Deputy Press Secretary

May 1998 – October 2000
United States Senate
Office of Senator Jeff Sessions
493 Russell Senate Office Building
Washington, DC 20510
Law Clerk, May 1998 – June 1998
Legislative Counsel, August 1999 – October 2000

October 2000 – July 2003
U. S. Department of Justice
Office of Justice Programs
810 7th Street, NW
Washington, DC 20001
(Some OJP offices have since relocated to 999 North Capitol Street, NE
Washington, DC 20531)
Attorney Advisor, Office of General Counsel, October 2000 – August
2002
Attorney Advisor, Office of the Assistant Attorney General, August
2002 – July 2003

July 2003 – Present
United States Attorney's Office
Southern District of Alabama
63 S. Royal Street, Suite 600
Mobile, AL 36602
Assistant United States Attorney, July 2003 – September 2013
Deputy Chief, Criminal Division, September 2013 – April 2018
Chief, Criminal Division, April 2018 – February 2021
United States Attorney, February 2021 – March 2025
Assistant United States Attorney, February 2025 – March 2025
United States Attorney, March 2025 – Present

- 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.

- v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

I have not held judicial office.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.
- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

In 1999, I joined the staff of Senator Jeff Sessions as a legislative counsel. I was assigned to his Judiciary Committee work. In this position, I worked with the staff of Senator Grassley on the Bankruptcy Reform Act, as well as other committee responsibilities including judicial, U.S. Attorney and U.S. Marshal nominations. I did not appear in court, and primarily reviewed and drafted legislative proposals, prepared and staffed the Senator for various hearings and meetings, and coordinated with other committee staff.

In 2000, I joined the Department of Justice, where I worked at the Office of Justice Programs (OJP) in the General Counsel's office. In this position, I did not appear in court, but provided in-house advice and counsel to OJP's client agencies, including the Bureau of Justice Assistance; the Bureau of Justice Statistics; the National Institute of Justice; the Office of Juvenile Justice and Delinquency Prevention; and the Office for Victims of Crime. This practice consisted primarily of drafting and reviewing grant program proposals and operations, and implementation of appropriations law and annual DOJ authorizing legislation for OJP's client agencies.

In 2002, I moved within OJP from the General Counsel's office to the Office of the Assistant Attorney General. In this role, I did not appear in court but provided in-house advice and counsel to the Assistant Attorney General on agency-wide issues involving grant administration, appropriations law, and personnel issues.

In 2003, I joined the United States Attorney's office for the Southern District of Alabama. I was hired as an Assistant United States Attorney in the criminal division. In this position, I appeared in court virtually daily, investigating and prosecuting all manner of federal criminal cases throughout the district. As a line AUSA in a small district, I was a generalist prosecutor, and handled gun cases, drug cases, fraud cases,

violent crime cases, and appeared in magistrate court, district court, and before the 11th Circuit Court of Appeals on briefs and in oral arguments. The scale of my work ranged from mail theft to international terrorism.

In 2013, I was promoted to a supervisory position and became the Deputy Chief of the criminal division within the U.S. Attorney's office. In this role, my case work was scaled back somewhat, though I continued to carry a caseload, specializing in child exploitation investigations. I also supervised line AUSAs in the criminal division, where I reviewed and approved indictments, plea agreements, and pleadings by other AUSAs.

In 2018 I was promoted to be the Chief of the criminal division in the U.S. Attorney's office. In this position, I was a full-time supervisor, and only occasionally appeared in court. My practice consisted of overseeing the legal work done by all the attorneys in the criminal division, supervising support staff, developing and maintaining productive and supportive relationships with law enforcement partners, and coordinating with the Justice Department on litigation priorities.

In 2021, I was appointed to be the United States Attorney, first by the acting Attorney General, and subsequently by the chief judge of our district. In this role, I have rarely appeared in court, but administer and manage all operations and litigation in the office. I review and oversee all priority litigation efforts in both our criminal and civil divisions; hire new attorneys and staff; develop and maintain relationships with agency and law enforcement partners; and administer office operations including budget and HR matters.

- 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;	100%
2. state courts of record;	0%
3. other courts;	0%
4. administrative agencies	0%
 - ii. Indicate the percentage of your practice in:

1. civil proceedings;	5%
2. criminal proceedings.	95%
- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried 28 cases to verdict. I was lead or sole counsel in approximately half of those trials and was second chair in approximately half.

- i. What percentage of these trials were:
 - 1. jury: 99%
 - 2. non-jury: 1%

- 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 or argued orally before the Supreme Court.

15. **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. Nathan Allen Railey

Case No. 10-cr-00266-CG, *affirmed* 481 F. App'x 545 (11th Cir. 2012)
United States District Court for the Southern District of Alabama
The Honorable Callie V.S. Granade
2010-2012

Railey was initially arrested for attempting to place a surreptitious camera to record intimate videos of two minor relatives. Further investigation revealed that he had attempted to erase his hard drive, where child sexual exploitation material was located. Images of Railey's minor relatives were also located, and I indicted him for possession and production of child pornography. Railey proceeded to trial, where the two child victims testified, and an FBI laboratory expert testified that the images of the victims were produced by the specific sensor in a Kodak digital camera recovered from Railey's house. This was the first time this forensic technique had been used in a United States court. I also presented evidence of novel forensic data that extracted the serial number from images taken with a

specific camera. Railey was convicted by the jury and sentenced to 50 years in prison. I was lead counsel.

Primary Co-Counsel:

Maria E. Murphy
Retired Assistant United States Attorney

Opposing Counsel:

Chase Dearman
208 Dauphin Street, 2nd Floor
Mobile, AL 36602
(251) 445-6997

2. United States v. William Atkinson

Case No. 12-cr-00086-KD, *affirmed* 532 F. App'x 873 (11th Cir. 2013)
United States District Court for the Southern District of Alabama
The Honorable Kristi K. DuBose
2012-2013

Atkinson was indicted for directing two of his sons to destroy evidence of a third son abusing orphaned children in Honduras to prevent authorities from discovering the crime. Atkinson received proof that his son had been abusing orphaned children in Honduras when he was shown videos of the abuse. In response, Atkinson told two other sons to destroy the evidence, which they did by forensically wiping the hard drive with the evidence, and then shooting the wiped hard drive. Atkinson elected to go to trial and was convicted of conspiracy and obstruction of justice by the jury. The applicability of the statute was significantly litigated pretrial, since the underlying investigation involved extraterritorial conduct. I was lead counsel.

Primary Co-Counsel:

Maria E. Murphy
Retired Assistant United States Attorney

Opposing Counsel:

Arthur Madden
465 Dauphin Street
Mobile, AL 36602
(251) 432-0380

Joe Carl Jordan
1111 Dauphin Street

Mobile, AL 36604
(251) 432-5400

3. United States v. Clarence Edward Evers

Case No. 16-cr-00040-KD (2016)
United States District Court for the Southern District of Alabama
The Honorable Kristi K. DuBose
2015-2017

I indicted Evers for traveling to Thailand with the intent to sexually abuse children. A victim in Thailand provided Evers's email address to investigators as someone who had paid to abuse him. A search warrant at his house yielded dozens of computers and cameras, and more than 60 terabytes of data, most of it encrypted. Months of digital forensic work ensued, but Evers had encrypted his data in such a way that it would have taken thousands of years to decrypt. Ultimately, agents recovered deleted data from an San Disk data card from a digital camera that contained an image of child sexual abuse material. The setting precisely matched the room Evers had rented the previous summer in Thailand. Computer log files showed the dates, times, and filenames of thousands of images and videos that had been moved to encrypted storage, including many tagged with the name of the victim who had first tipped off law enforcement. Following a thorough and detailed reverse proffer to Evers and his attorney, Evers entered guilty pleas to charges of traveling with the intent to engage in illicit sexual conduct, production, and possession of child pornography. Evers was sentenced to 324 months in prison and was ordered to pay \$50,000 in restitution to the victim.

Primary Co-Counsel:

Maria E. Murphy
Retired Assistant United States Attorney

Opposing Counsel:

Dennis Knizley
7 N. Lawrence Street
Mobile, AL 36602
(251) 432-3799

Jason Darley
7 N. Lawrence Street
Mobile, AL 36602
(251) 441-7772

4. United States v. Martin Ledezma-Dominguez and Jose Manuel Ruvira-Gonzalez

Case No. 11-cr-00102-CG, *affirmed* 471 F. App'x 880 (11th Cir. 2012)
United States District Court for the Southern District of Alabama

The Honorable Callie V.S. Granade
2011-2012

I indicted Ledezma-Domnigez and Ruvira-Gonzalez for drug trafficking after they were stopped driving a Dodge van on I-65 in Saraland, Alabama. A drug dog alerted on the vehicle, and a roadside search indicated that the rear of the vehicle had been tampered with. Ultimately, after manual searches and x-rays of the vehicle, more than 5 kilos of cocaine were found, welded into the rear frame rail. Both defendants went to trial and denied knowledge of the drugs. The jury convicted both men of all charges, finding sufficient circumstantial evidence that they were aware that the van they had been paid to drive from Mexico into the United States the day before contained narcotics. Ruvira was sentenced to 107 months and Ledezma, a Mexican national, was sentenced to 97 months followed by delivery to immigration officials for deportation. I was sole counsel in this trial.

Opposing Counsel (Ledezma):

Brandy Hambright, now Circuit Judge of Alabama's 13th Judicial Circuit
205 Government Street
Mobile, AL 36644
(251) 574-8481

Opposing Counsel (Ruvira):

Jan Jones
205 State Street
Mobile, AL 36603
(251) 802-2272

5. United States v. Julia Beatriz Castro and Fayad Bassam Azzam
Case No. 11-cr-00325-CG (2011)
United States District Court for the Southern District of Alabama
The Honorable Callie V.S. Granade
2011-2012

This was a marriage fraud case. Azzam, a native of the United Arab Emirates, had been in Mobile on a student visa until his poor grades resulted in his dismissal from the University of South Alabama. No longer a student, Azzam's visa was no longer valid. He sought to remain in the United States by entering into a fraudulent marriage with Castro, with whom he worked at a used car lot. Castro had been in a common law relationship with another man for years, but because Azzam paid her, she agreed to marry Azzam and sponsor him for citizenship based on the sham marriage. Azzam maintained an apartment entirely separate from that of Castro and her common law husband. Because Azzam's apartment

was immediately adjacent to the Homeland Security Investigations office, agents were able to easily surveil Azzam by looking out their window and determine that he and Castro maintained entirely separate lives. Both defendants went to trial, and the jury convicted them of conspiracy and marriage fraud to obtain an immigration benefit. Azzam was ordered to be turned over to immigration authorities for deportation. I was sole counsel in this trial.

Opposing Counsel (Castro):

Richard E. Shields
507 Church Street
Mobile, AL 36602
(251) 432-1656

Opposing Counsel (Azzam):

Robert Ratliff
713 Dauphin Street
Mobile, AL 36602
(251) 438-2250

6. United States v. Bruce Michael Orr
Case No. 06-cr-00259-CG (2006)
United States District Court for the Southern District of Alabama
The Honorable Callie V.S. Granade
2005-2007

Orr was indicted by a colleague for possession and receipt of child pornography using file-sharing software on his computer. I was brought onto the case before trial to handle the digital forensic evidence, because the investigating agency had made something of a mess of the reports on the computer analysis. The jury failed to reach a verdict. Following the mistrial, I sought out an independent digital forensics expert to analyze the evidence and prepare reports. At the retrial, I presented the independent digital forensics expert and was able to show the jury a complete picture of Orr's crimes, as well as effectively cross-examine the defense expert. Orr was convicted in the retrial and sentenced to 168 months in prison. As a result of the difficulties in this trial, I sought and obtained certification as a digital forensic examiner myself. I was second-chair associate counsel on this trial.

Primary Co-Counsel:

Maria E. Murphy
Retired Assistant United States Attorney

Opposing Counsel:

T. Jefferson Deen, III
207 Church Street
Mobile, AL 36602
(251) 433-5860

7. United States v. Richard Brooks Nelson
Case No. 07-cr-00281-CG (2007)
United States District Court for the Southern District of Alabama
The Honorable Callie V.S. Granade
2007-2009

This case was assigned to me for trial five days before jury selection when an expected guilty plea fell through. Nelson, a registered sex offender, had been grooming an eleven-year-old girl via text messages. Her mother alerted law enforcement, who took over communications with Nelson and set up a meeting with what he believed would be a twelve-year-old girl. Nelson was arrested when he showed up to meet the child and was charged with attempted enticement of a minor. At trial, I presented the testimony of a girl who had been raped at knifepoint in New York by Nelson when she was eleven. Two months after that, Nelson had raped another young girl. Nelson had been out of prison for less than a year when he was arrested in this case. The jury convicted the defendant of attempted enticement and commission of a sex offense while a sex offender. He was sentenced to an aggregate of 525 months in prison.

Primary Co-Counsel:

George F. May
Assistant United States Attorney
United States Attorney's Office
Southern District of Alabama
63 S. Royal Street, Suite 600
Mobile, AL 36602
(251) 441-5845

Opposing Counsel:

Gregory A. Hughes
501 Church Street
Mobile, AL 36602
(251) 433-3671

8. United States v. Wolfgang Schroeder
Case No. 06-cr-00088-CG (2006)
United States District Court for the Southern District of Alabama
The Honorable Callie V.S. Granade

2006-2007

This case centered on the collision of a 534-foot ship with a dock at the Port of Mobile, Alabama. In addition to hitting the dock, the bow of the boat hit a support leg of a container crane, causing it to collapse. Two electricians were working in the crane at the time, and one was killed in the collapse. The captain of the ship, Schroeder, was indicted and charged with seaman's manslaughter. This charge is rarely used, and its use in this case garnered worldwide attention in the shipping industry. I was brought onto the trial team before trial to handle the expert witnesses, which included a bar pilot to testify about standard procedures in the Port of Mobile, engineers to testify about marine propulsion and electrical systems, and defense experts who generated simulations based on extrapolations of ships log data. Schroeder was convicted, and the shipping company pled guilty to criminal charges very shortly after the jury returned their verdict.

Primary Co-Counsel:

Michael D. Anderson
Assistant United States Attorney
United States Attorney's Office
Southern District of Alabama
63 S. Royal Street, Suite 600
Mobile, AL 36602
(251) 441-5845

Opposing Counsel:

Donald M. Briskman
150 Government Street
Suite 1004, Mobile AL 36602

Irwin H. Schwartz
710 Cherry Street
Seattle, WA 98104
(206) 623-5084

9. United States v. Burgess Lee Burgess and Mitchell Kent Jackson
Case No. 08-cr-00225-KD (2008)
United States District Court for the Southern District of Alabama
The Honorable Kristi K. DuBose
2008-2009

I indicted Burgess and Jackson for traveling to Thailand to abuse young boys. They funded their travel by operating a website dedicated to suggestive photos of young boys. Jackson was the website operator, and Burgess provided money and experience traveling. Together they coordinated with a third man from New

Jersey to arrange boys to abuse in Thailand. This investigation involved coordination with authorities in New Jersey and Thailand, as well as novel-at-the-time evidentiary considerations around historical website content and email communications. Burgess and Jackson both pled guilty just before trial to charges of conspiracy and travel with the intent to engage in illicit sexual conduct. I was lead counsel.

Primary Co-Counsel:

Maria E. Murphy
Retired Assistant United States Attorney

Opposing Counsel (Burgess):

D.E. "Skip" Brutkiewicz
Deceased

Opposing Counsel (Jackson):

Neil L. Hanley
158 Congress Street
Mobile, AL 36602
251-432-5579

10. United States v. Michael and Pamela Hyatt

Case No. 06-cr-00260-WS (2006)
United States District Court for the Southern District of Alabama
The Honorable William Steele
2005-2007

The Hyatts owned and operated a trucking company which was suspected to have been involved in criminal activity. The investigation had identified a number of financial irregularities, including substantial material misrepresentations about their assets and income in five bankruptcies filed over a four-year period. I indicted the Hyatts for bankruptcy, fraud, and money laundering. This was one of the very few bankruptcy fraud prosecutions our office has charged. Both defendants elected to go to trial, and the jury ultimately convicted them both of conspiracy and nine counts of bankruptcy fraud.

Primary Co-Counsel:

Charles Baer
Retired Assistant United States Attorney

Opposing Counsel (Michael and Pamela Hyatt):

Susan James

600 South McDonough Street, 1st Floor
Montgomery, AL 36104
(334) 834-4100

16. **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.)

I have not performed lobbying activities.

The most significant legal activity I have pursued that did not progress to litigation has involved national security investigations. One international terrorism case I was the lead attorney on has been unsealed. In *United States v. Omar Shafik Hammami*, I charged the defendant with material support of the Somali terrorist organization al-Shabaab, affiliated with al-Qaeda. Hammami was reported to have been killed by al-Shabaab in 2013 before the case could be pursued. Throughout my career, I have been assigned to work cases involving international terrorism, cybercrime, and other investigations that did not involve litigation or legal work in a public forum.

17. **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 on a full-time basis. From time to time, I have been asked to serve as a guest lecturer at the University of Alabama School of law on the topic of obstruction of justice. I have described those lectures in response to Question 12(d) above.

18. **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.

I have no arrangements to be compensated in the future for any financial or business interest.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your

service with the court? If so, explain.

No.

20. **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).

Please see my OGE-278 as provided by the Office of Government Ethics.

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

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors 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.

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

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

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

23. **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. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

As an employee of the Department of Justice for virtually my entire career, my ability to provide legal representation to clients other than the United States has been limited by law, regulation, and policy. Through my public service prosecuting criminal cases, I have protected the rights of vulnerable victims without regard to their station, position, or wealth, and have steadfastly sought to hold criminals accountable for the betterment of everyone in the Southern District of Alabama.

AFFIDAVIT

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

4/29/2026
(DATE)

Sean P. Costello
(NAME)

Corine M Busby 12-1-26
(NOTARY)

