

February 1, 2018

The Honorable Charles Grassley, Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Dianne Feinstein, Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Re: Nomination of Joel M. Carson III to the United States Court of Appeals for the Tenth Circuit

Dear Chairman Grassley and Ranking Member Feinstein,

We write to express our strong support for the nomination of Magistrate Judge Joel M. Carson III to the United States Court of Appeals for the Tenth Circuit. All of us have served as law clerks to federal judges. Some of us have clerked for various appellate judges on the United States Court of Appeals for the Tenth Circuit, United States Court of Appeals for the Eleventh Circuit, and the United States Court of Appeals for the Fourth Circuit. Others of us clerked for federal district judges spanning the country — including the District of New Mexico, the District of Wyoming, the Northern District of Oklahoma, the District of Kansas, the Southern District of Texas, the Western District of Texas, the Northern District of Alabama and the Northern District of West Virginia as well as to a magistrate judge in the District of New Mexico and a bankruptcy judge in the Western District of Virginia. Although we span the entire political spectrum, we agree Judge Carson will be an excellent addition to the Tenth Circuit.

Judge Carson is well-qualified to serve in the role of United States Circuit Judge. Judge Carson began his career as a law clerk to the Honorable Bobby R. Baldock of the Tenth Circuit. Several of us have clerked for Judge Baldock and can attest that Judge Carson could have had no better mentor. Judge Baldock models for his clerks the essential traits of an effective and honorable judge—humility, comradery, common sense, punctuality, wisdom, prudence, and patience. Judge Carson observed these traits and has employed them throughout his practice.

After leaving Judge Baldock's chambers, Judge Carson worked for one of the most respected law firms in the State of New Mexico, quickly earning the rank of partner. He left that law firm and became general counsel for Mack Energy Corporation—one of the largest employers in New Mexico. Judge Carson left his general counsel position to launch his own law firm, a boutique law firm serving southeastern New Mexico. The

judges of the United States District Court of New Mexico then selected him to serve as the part-time United States Magistrate Judge for the Roswell division.

Most of us know Judge Carson through his experience in the private sector. Judge Carson meticulously works his civil litigation cases. He pores over his cases, making sure that each client receives outstanding representation. Working in rural America in a boutique energy law firm, Judge Carson handles a large variety of litigation matters for the energy sector. His broad exposure to all areas of civil litigation—from litigating breach of contract claims for one of the largest pecan producers in the United States to litigating quiet title actions in the United States Bankruptcy Court—gives us great confidence that Judge Carson will hit the ground running on day one.

Judge Carson also has extensive criminal law experience, first serving as a CJA attorney in the Tenth Circuit for fifteen years before serving as a United States Magistrate Judge. Some of us have had the opportunity to see Judge Carson on the bench. Judge Carson engages the defendants before him. Rather than simply go through the motions of what could be a routine hearing, Judge Carson ensures each defendant appearing before him understands not only the charges against him or her, but also the process. We expect Judge Carson's demonstrated respect for the rule of law to guide him at the Circuit Court. Judge Carson knows that his role is to apply the laws enacted by the political branches of government while putting aside his personal policy views. Nor will he ignore binding Supreme Court of the United States and Tenth Circuit precedent when he personally disagrees with an established outcome.

Despite the demands of his vibrant law practice, Judge Carson strives to advance the quality of the judiciary and the local bar. Judge Carson presently serves as a member of the New Mexico Judicial Performance Evaluation Committee. In this role, Judge Carson evaluates state court judges and collaborates with them to cure perceived deficiencies in judicial performance. His peers in Chaves County, New Mexico elected him president of the local bar association. Judge Carson currently serves in that role. Through these appointments, Judge Carson has gained valuable insights from both practitioners and the judiciary. Judge Carson will carry those insights with him to the Tenth Circuit, and with them, a unique understanding of the challenges confronting the judiciary and those who practice before it.

Judge Carson chose to spend his career in southeastern New Mexico. He certainly had the opportunity to leave the state for what could be recognized as more lucrative or prestigious opportunities. We respect his dedication and commitment to a people and State that he treasures and desires to serve. Judge Carson's appointment to the Tenth Circuit would enable him to serve an even greater number of citizens of the Mountain West.

Perhaps most importantly, Judge Carson is a man of honesty and integrity. Professionally, Judge Carson earned the respect of both the local Plaintiffs' and Defense bar. Judge Carson keeps his word. He keeps his commitments. And importantly, his staff, both current and former, respects him both professionally and personally.

To be sure, anyone who knows Judge Carson knows that he is above all else a dedicated family man. He is a dedicated husband to his wife Karen and the father of two boys. Despite their busy schedules, Judge Carson and his wife regularly make time to compete in cutting horse competitions—a sport that dates back to the old American West—with their sons on a regular basis.

Those of us who clerked on the Tenth Circuit take pride in the collegiality of the Court. Judge Carson, if nominated to the Tenth Circuit, would continue on with the great tradition of respect and decorum the Circuit is known for throughout the country. We encourage the Senate to confirm Judge Carson to the Tenth Circuit.

Respectfully,

Terri J. Abernathy Las Cruces, New Mexico	John Balla Las Cruces, New Mexico	Lynnette J. Boomgaarden Cheyenne, Wyoming
Timothy R. Brown Houston, Texas	Ryan C. Carson Kearney, Nebraska	Clarke C. Coll Roswell, New Mexico
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