

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**QUESTIONNAIRE FOR JUDICIAL NOMINEES**

**PUBLIC**

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

Suzanne Mitchell

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

United States District Judge for the Western District of Oklahoma

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 Federal Courthouse  
200 Northwest Fourth Street, Suite 1301  
Oklahoma City, Oklahoma 73102

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

1968; Bronxville, New York

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.

1992 – 1996, George Washington University Law School; J.D. (with High Honors), 1996

1986 – 1990, Georgetown University; B.S.F.S., 1990

1988 – 1989, London School of Economics and Political Science; no degree received

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.

2013 – Present

United States District Court for the Western District of Oklahoma  
United States Federal Courthouse

200 Northwest Fourth Street, Suite 1301  
Oklahoma City, Oklahoma 73102  
United States Magistrate Judge

2010 – 2013

United States Attorney's Office for the Western District of Oklahoma  
210 Park Avenue, Suite 400  
Oklahoma City, Oklahoma 73102  
Assistant United States Attorney – Appellate Division

1996 – 1997; 1999 – 2010

United States Court of Appeals for the Tenth Circuit  
200 Northwest Fourth Street  
Oklahoma City, Oklahoma 73102  
Law Clerk for the Honorable Robert H. Henry  
Senior Law Clerk (1999 – 2010)  
Law Clerk (1996 – 1997)

Summer 1996; 1997 – 1999

McAfee & Taft  
211 North Robinson Avenue  
Oklahoma City, Oklahoma 73102  
Associate (1997 – 1999)  
Summer Associate (1996)

1995 – 1996

Williams Sonoma  
50 Penn Place  
Oklahoma City, Oklahoma 73118  
Sales Clerk

1990 – 1995

Arnold & Porter  
555 12th Street Northwest  
Washington, District of Columbia 20004  
Law Clerk/Paralegal (1990 – 1995)  
Summer Associate (1995)

Other Affiliations (uncompensated):

2006 – 2015

Oklahoma Visual Arts Coalition  
730 West Wilshire Avenue, Suite 104  
Oklahoma City, Oklahoma 73116  
Board Member (2006 – 2015)  
President (2011 – 2014)

2007 – 2010  
Red Bud Classic  
720 West Wilshire Avenue, Suite 116  
Oklahoma City, Oklahoma 73116  
Board of Directors

2005 – 2008  
Safekids Oklahoma  
900 North Portland Avenue  
Oklahoma City, Oklahoma 73107  
Board of Directors

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 military. I was not required to register 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.

Presidential Recognition Award, Rotary Club of Oklahoma City, Open World Program (2014 – 2015)

District Governor's Award, Rotary Club of Oklahoma City, "Service Above Self" (2013)

Performance Award, United States Attorney's Office for the Western District of Oklahoma (2011)

On-the-Spot Award, United States Attorney's Office for the Western District of Oklahoma (2011)

Forty Under 40 Award, OKCBusiness (2007)

Outstanding Volunteer Certificate of Excellence, Emerson Secondary School Metro Program (2004)

Order of the Coif, George Washington University (1996)

Alumni Association John Carroll Scholarship (1986 – 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.

William J. Holloway American Inn of Court (2014 – Present)

Master (2014 – Present)

Criminal Justice Act, Standing Committee for the Western District of Oklahoma (2014 – Present)

Chair (2014 – Present)

District of Columbia Bar Association (1999 – 2012)

Federal Bar Association (2009 – Present)

Chair, Bench and Bar Committee (2014 – Present)

Chair, Community Outreach, Oklahoma City Chapter (2014 – Present)

Constitution, Bylaws, Rules and Resolutions Committee (2014 – Present)

Vice President of Programs, Oklahoma City Chapter (2015 – Present)

Federal Magistrate Judges' Association (2013 – Present)

International Committee (2013 – Present)

Oklahoma Bar Association (1997 – Present)

Oklahoma County Bar Association (2013 – Present)

Oklahoma County Bar Lawyers for Learning (2014 – Present)

10. **Bar and Court Admission:**

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

Oklahoma, 1997

District of Columbia, 1999 (inactive)

There has been no lapse in my Oklahoma bar membership. I was admitted to the District of Columbia in 1999, and was an inactive member until I voluntarily withdrew in 2013. I believe I was briefly administratively suspended in the District of Columbia from October 31, 2000 to November 16, 2000 for non-payment of dues. During this time, while I considered but decided against relinquishing my membership, I was not practicing law in the District of Columbia.

- 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 Western District of Oklahoma, 2010

United States Court of Appeals for the Tenth Circuit, 1997

Oklahoma Supreme Court, 1997

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.

Corpus Christi Catholic Church (2014 – Present)

The George Washington University Alumni Committee, Oklahoma (2013 – Present)

Co-Chair (2013 – Present)

Georgetown University Alumni Admissions Program (2000 – Present)

State Chair (2009 – Present)

The Heart of Oklahoma Chapter of the American Red Cross (2010)

La Gran Fiesta Committee (2010)

Historical Society of the United States District Court for the Western District of Oklahoma (2013 – Present)

Landrunners Oklahoma City Running Club (2002 – 2007)

Leadership Oklahoma City (2006 – Present)

Class XXIV (2006)

Oklahoma City Alumni Association (2007 – Present)

Oklahoma Visual Arts Coalition (2004 – Present)

Board Member (2006 – 2015)

President (2011 – 2014)

Rotary Club 29 (2011 – Present)

Chair, Open World Legal Scholars Program (2013 – Present)

Red Bud Classic (2007 – 2010)

Board of Directors (2007 – 2010)

Safekids Oklahoma (2005 – 2008)

Board of Directors (2005 – 2008)

Sooner Stilettoes (2014 – Present)

Tenth Circuit Historical Society (2009 – Present)

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

Prior to my joining, it is my understanding that Rotary previously restricted its membership to men. To the best of my knowledge, none of the other 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.

*Social and Economic Rights in U.S. Constitutions: Where to Look*, contributing author, presented by Judge Stephen P. Friot at the Institute for Law and Public Policy's Russian Constitutional Court Conference, October 2007. Copy supplied.

*Clarifying the United States Sentencing Guidelines' Focus on Government Conduct in Reverse Sting Sentencing: Imperfect Entrapment as a Logical Incomplete Defense that Warrants Departure*, 64 Geo. Wash. L. Rev. 746 (1996). 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.

From 2006 to 2015, I participated in annual board meetings for the Oklahoma Visual Arts Coalition in my capacity as a board member. A copy of the minutes from a June 15, 2013 meeting is supplied. I was not able to locate minutes for the other meetings that I attended.

Letter to the Federal Bar Association National Council from the Chair of the

Constitution, Bylaws, Rules and Resolutions Committee (February 23, 2015).  
Copy supplied.

As a board member of the Oklahoma Visual Arts Coalition, I drafted portions of an August 2014 letter regarding the Governor's Arts Award. Copy supplied.

- 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.

Along with other district and magistrate judges, I signed a letter to Senator James Inhofe requesting that the U.S. Courthouse be named the "William J. Holloway, Jr. United States Courthouse" (August 14, 2014). A copy, as reprinted in the Congressional Record, is supplied.

- 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.

2013 – Present: I preside over Naturalization Ceremonies for new citizens. I have conducted seven ceremonies on the following dates: October 4, 2013, September 19, 2014, October 24, 2014, April 24, 2015, May 29, 2015, August 28, 2015, and September 18, 2015. All of the ceremonies were held in Oklahoma City, Oklahoma, with the exception of the September 18, 2015, ceremony, which was held in Edmond, Oklahoma. Remarks supplied.

2013 – Present: I have attended swearing-in ceremonies for the Western District of Oklahoma and presented on behalf of the Federal Bar Association to the new members regarding the roles of a United States Magistrate Judge. I have attended five ceremonies on the following dates: October 31, 2013, May 29, 2014, November 6, 2014, June 11, 2015, and November 5, 2015. All of the ceremonies were held in Oklahoma City, Oklahoma. Notes and handout supplied.

January 7, 2016: Presenter, "Understanding the Importance of Reentry Courts," Oklahoma Bar Association Leadership Academy, Oklahoma City, Oklahoma. PowerPoint supplied.

December 29, 2015: Presenter, "Habeas Corpus and Prisoner Litigation," Tenth Circuit Year in Review, Federal Bar Association, Oklahoma City, Oklahoma.

Notes supplied.

December 8, 2015: Presenter, 2015 Holloway Scholarships, Tenth Annual Holloway Lecture, Federal Bar Association, Oklahoma City Chapter, Oklahoma City, Oklahoma. Remarks supplied.

October 29, 2015: Panelist and Moderator, "Legal Writing and Negotiation," Mentoring Program Presentation, Federal Bar Association, Oklahoma City Chapter, Oklahoma City, Oklahoma. Notes supplied.

October 28, 2015: Panelist, "Settlement Conferences and Mediation," Federal Practice Series, Federal Bar Association, Oklahoma City Chapter, Oklahoma City, Oklahoma. Notes supplied.

October 7, 2015: Moderator, "Addiction, Mental Health Issues and the Practice of Law" Webinar, Federal Bar Association. I moderated a one-hour web-based presentation with two experts for the Federal Bar Association. PowerPoint slides supplied.

September 28, 2015: Presenter, Federal Bar Association Law Students Association, University of Oklahoma, Norman, Oklahoma. In a luncheon presentation to law students, I provided information about the Federal Bar Association and the Oklahoma City Chapter. I have no notes, transcript, or recording. The address for the Federal Bar Association Law Students Association, University of Oklahoma is 300 West Timberdell Road, Room 208, Norman, Oklahoma 73019.

August 26, 2015: Speaker, "Gideon's Army" Screening and Panel Discussion CLE, Federal Bar Association, Oklahoma City Chapter, Oklahoma. I introduced the panelists for the event, who spoke about the Criminal Justice Act and the challenges public defenders face. I have no notes, transcript, or recording. The address for the Federal Bar Association, Oklahoma City Chapter is 200 Northwest Fourth Street, Suite 1301, Oklahoma City, Oklahoma 73102.

August 18, 2015: Panelist, "Effective Use of Pretrial Halfway Houses as an Alternative to Detention," 2015 Annual Conference, National Association of Pretrial Services Agencies, Indianapolis, Indiana. PowerPoint supplied.

July 17, 2015: Introducer, "Art of Sentencing Advocacy in the Non-Capital Case," Federal Public Defender's Office for the Western District of Oklahoma and Administrative Office of the United States Courts' Defender Services Office, Oklahoma City, Oklahoma. I welcomed 70 attendees to a CLE program on sentencing. I have no notes, transcript, or recording. The address of the Federal Public Defender's Office for the Western District of Oklahoma is 109 Old Post Office Building, 215 Dean A. McGee Avenue, Oklahoma City, Oklahoma 73102.



April 10, 2015: Moot Court Judge, University of Oklahoma College of Law, Norman, Oklahoma. I acted as a judge in a moot court competition and provided feedback to the participants. I have no notes, transcript, or recording. The address for the University of Oklahoma College of Law is 300 West Timberdell Road, Norman, Oklahoma 73019.

December 12, 2014: Presenter, Settlement Conferences in Employment Discrimination Cases Seminar, Oklahoma Employment Lawyers Association, Oklahoma City, Oklahoma. Handwritten notes supplied.

November 24, 2014: Panelist, "Lunch and Learn: Role of the Magistrate Judge," Federal Bar Association, Norman, Oklahoma. Notes supplied.

September 4, 2014: Moderator, "Re-Entry Courts: Why the Community Needs Them and Why They Need the Community," Annual Convention, Federal Bar Association, Providence, Rhode Island. PowerPoint and handout supplied.

April 11, 2014: Moot Court Judge, University of Oklahoma College of Law, Norman, Oklahoma. I have no notes, transcript, or recording. The address for the University of Oklahoma College of Law is 300 West Timberdell Road, Norman, Oklahoma 73019.

2006 – 2014: Speaker, Russian Judicial Delegation to the Open World Leadership Center's "Open World Program – Rule of Law" Program, Rotary Club 29, Oklahoma City, Oklahoma. I spoke to Russian judicial delegations about the Open World Program and introduced the delegation to Rotarians and their guests on seven occasions in the following years: 2006, 2007, 2009, 2011, 2012, 2013, and 2014. I have no notes, transcripts, or recordings. The address for Rotary Club 29 is 119 North Robinson Avenue, Oklahoma City, Oklahoma 73102.

December 30, 2013: Presenter, "Habeas and Pro Se Litigation," Tenth Circuit Year in Review, Federal Bar Association, Oklahoma Bar Center, Oklahoma City, Oklahoma. Notes supplied.

December 13, 2013: Presenter, "Appellate Practice Before the Tenth Circuit," Federal Bar Association, Oklahoma City, Oklahoma. Outline and notes supplied.

May 2, 2013: Speaker, Swearing-In Ceremony as United States Magistrate Judge for the Western District of Oklahoma, Oklahoma City, Oklahoma. Remarks supplied.

December 28, 2012: Presenter, "Habeas Cases of Interest," Tenth Circuit Year in Review, Federal Bar Association, Oklahoma City Chapter, Oklahoma City, Oklahoma. Notes supplied.

June 22, 2012: Presenter, "Appellate Practice: Telephonic Presentation to Judge

Advocate General Appellate Defense,” U.S. Navy Judge Advocate General’s Corps, Oklahoma City, Oklahoma. Outline supplied.

March 29, 2012: Panelist, “Death Penalty and Capital Habeas Practice,” Oklahoma City University School of Law, Oklahoma City, Oklahoma. Handout supplied.

March 16, 2012: Judge, Eisenhower Elementary School Mock Trial, Oklahoma City, Oklahoma. I acted as a judge for a mock trial held at the U.S. District Courthouse, concerning a fictional criminal case of bullying, for which fifth graders from Eisenhower Elementary School acted as jurors and witnesses. I have no notes, transcripts, or recording. The address of the U.S. District Courthouse is 200 Northwest Fourth Street, Oklahoma City, Oklahoma 73102.

October 20, 2011: Introductory Speaker, “Sixth Annual William J. Holloway, Jr. Lecture: Prof. Jonathan Turley,” Oklahoma City, Oklahoma. Notes supplied.

Spring 2011: Guest Lecturer, “Legal Research and Writing,” Oklahoma City University School of Law, Oklahoma City, Oklahoma. I lectured law students on the do’s and don’ts of brief writing. I have no notes, transcripts, or recording. The address for the Oklahoma City University School of Law is 800 North Harvey, Oklahoma City, Oklahoma 73102.

Spring 2006 and 2008: Guest Lecturer, “Federal Clerkships,” Oklahoma City University School of Law, Oklahoma City, Oklahoma. I spoke to law students about federal clerkships. I have no notes, transcripts, or recording. The address for the Oklahoma City University School of Law is 800 North Harvey, Oklahoma City, Oklahoma 73102.

September 4, 2008: Panelist, “New Rules of Judicial Misconduct and Disability,” United States Court of Appeals for the Tenth Circuit, Colorado Springs, Colorado. PowerPoint/notes supplied.

December 2002 – 2005: Speaker, Tenth Circuit Year in Review, Federal Bar Association, Oklahoma City Chapter, Oklahoma City, Oklahoma. I presented annually on case developments in criminal law, habeas, and prisoner litigation. I have no notes, transcripts, or recordings. The address for the Federal Bar Association, Oklahoma City Chapter is 200 Northwest Fourth Street, Suite 1301, Oklahoma City, Oklahoma 73102.

April 3, 2003: Speaker, “A Message from the Former Clerks in Honor of Judge Henry’s 50th Birthday,” Oklahoma City, Oklahoma. Notes supplied.

October 7, 2002: Speaker, “First Monday in October: An Overview of the U.S. Supreme Court’s 2001 – 2002 Term and a Preview of 2002 – 2003,” Federal Bar Association, Oklahoma City Chapter, Oklahoma City, Oklahoma. I spoke about the recent and upcoming Supreme Court cases and their impact upon Tenth

Circuit law. I have no notes, transcripts, or recording. The address for the Federal Bar Association, Oklahoma City Chapter is 200 Northwest Fourth Street, Suite 1301, Oklahoma City, Oklahoma 73102.

September 2002: Panelist, "Women in Law," United States Court of Appeals for the Tenth Circuit, Santa Fe, New Mexico. I presented a breakout session regarding women in law and balancing careers and families. I also coordinated a children's program where we presented issues before the Supreme Court to children and discussed how the Court functions. I have no notes, transcripts, or recording. The address for the United States Court of Appeals for the Tenth Circuit is 1823 Stout Street, Denver, Colorado 80257.

- 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.

*The Journal Record's 50 Making a Difference Profile: Elizabeth Tyrrell, J.D., Health Care Attorney with McAfee & Taft in OKC*, Journal Record, October 3, 2013. Copy supplied.

*Alumna Suzanne Mitchell Sworn in as U.S. Magistrate Judge*, George Washington University Law School, May 2013. Copy supplied.

Interview with Jill Sanders on an Oklahoma Visual Arts Coalition art show, KFOR-TV/KAUT-TV, 2008. I have no notes, transcript or recording.

Profile piece, OKC Business Vol. 10, No. 21, November 15 – 28, 2007. Copy supplied.

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

On February 1, 2013, I was appointed to the position of United States Magistrate Judge for the United States District Court for the Western District of Oklahoma to serve an eight-year term. In this district, magistrate judges are granted jurisdiction that is coextensive with the powers authorized under the Federal Magistrates Act, 28 U.S.C. § 6363(b)-(c) (2006). Magistrate judges in this district have jurisdiction to enter a report and recommendation in all dispositive matters in every non-capital habeas proceeding, prisoner civil rights case, Social Security appeal, and post-judgment proceeding. For all nondispositive matters in these areas, magistrate judges are authorized to enter orders. Upon consent of the parties and transfer by the district judge, magistrate judges enjoy authority to conduct trial and enter judgment in civil cases. In criminal matters, magistrate judges have jurisdiction to issue warrants and conduct a variety of pretrial proceedings, including preliminary hearings, detention hearings, and identity hearings.

Magistrate judges may conduct all proceedings in misdemeanor cases upon the parties' consent. In this district, magistrate judges regularly serve as settlement conference judges.

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

I have presided over one bench trial.

- i. Of these, approximately what percent were:

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

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

Please 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) *United States v. Herrera-Hernandez*, No. 15-154-HE, Doc. 71 (W.D. Okla. Oct. 15, 2015). Order supplied.

The grand jury returned an indictment charging defendant with conspiracy to possess with intent to distribute methamphetamine. I found that defendant had rebutted the presumption of detention, as officers found no weapons, contraband, currency, ledgers, or paraphernalia during several searches. The government presented evidence that defendant violated his supervised release, made plans to purchase a firearm, had several conversations with his brother (whom he told pretrial services officers he did not talk to) regarding the purity of contraband, and that defendant admitted to distributing marijuana. I found detention necessary to assure the safety of the community. Defendant is awaiting trial.

Counsel for Plaintiff:

David P. Petermann  
Nicholas J. Patterson  
Matthew B. Dillon

United States Attorney's Office for the Western District of Oklahoma  
210 West Park Avenue  
Suite 400  
Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant:

David B. Autry  
Solo Practitioner  
1021 Northwest 16th Street  
Oklahoma City, Oklahoma 73106  
405-521-9600

2) *United States v. Trahern*, No. 09-CR-17-F (W.D. Okla. Oct. 8, 2015).

After two years of supervised release, defendant was arrested for driving under the influence. Eleven months later, defendant again was arrested for driving under the influence after an altercation with his girlfriend. The government sought defendant's detention pending his final revocation hearing. I found that defendant's positive adjustment, his largely continued sobriety and consistently negative urine testing results, helped establish by clear and convincing evidence that defendant would not pose a danger to the community. I imposed additional GPS and remote alcohol monitoring. Defendant did not violate his conditions before his final revocation hearing. The court ultimately revoked his supervised release and imposed a three-month sentence, followed by 12 months' supervised release.

Counsel for Plaintiff:

Ashley L. Altshuler  
United States Attorney's Office for the Western District of Oklahoma  
210 West Park Avenue  
Suite 400  
Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant:

William P. Earley  
Federal Public Defender for the Western District of Oklahoma  
215 Dean A. McGee Avenue  
Suite 109  
Oklahoma City, Oklahoma 73102  
405-609-5930

- 3) *United States v. Brown*, No. 15-CR-237-SM, Doc. 9 (W.D. Okla. June 22, 2015). Order supplied.

The government charged defendant with conspiracy to possess with intent to distribute crack cocaine. Defendant waived a detention hearing, and a jury acquitted him. On the evening he was acquitted, the government sought to file another complaint charging defendant with conspiracy to possess with intent to distribute crack cocaine relating to separate instances. I signed the complaint, and the following day held preliminary and detention hearings. I found probable cause and that defendant should be detained. Defendant remains in pretrial custody.

Counsel for Plaintiff:

David M. McCrary  
United States Attorney's Office for the Western District of Oklahoma  
210 West Park Avenue  
Suite 400  
Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant:

Elliott C. Crawford  
Law Office of Elliott C. Crawford PC  
3600 Northwest 138th Street  
Suite 102  
Oklahoma City, Oklahoma 73134  
405-519-3796

- 4) *United States v. Al Fehaidah*, No. CR-15-35-F, Doc. 28 (W.D. Okla. Feb. 13, 2015). Order supplied.

The government sought defendant's pretrial detention, arguing he was a danger to the community and a flight risk. Defendant was charged with a violation of 18 U.S.C. § 1038(a)(1), which criminalizes the making of false statements and perpetrating hoaxes and carries a term of imprisonment of up to five years. Defendant allegedly repeatedly lied to investigators regarding an individual who planned to wear and detonate an explosive vest in a church in Edmond, Oklahoma. I found that there was no element of this crime that involves the "use, attempted use, or threatened use of physical force" against the person or property of another because it was a hoax. As such, the government could not seek detention based on danger to the community under the Bail Reform Act, as § 1038 met none of the Act's prerequisites. Regarding flight risk, I found that seizing defendant's passport and requiring GPS location monitoring would reasonably assure his presence in court. I concluded that "[t]here is no doubt that

the Act places a risk on society: a defendant who clearly may pose a danger to society or a risk of flight cannot be detained on that basis alone. In such instances, the Act requires that society's interest be safeguarded by a set of conditions imposed on his release, and the undersigned has imposed the least restrictive set of conditions it can fashion to safeguard that interest." The government appealed and the district judge adopted the order setting conditions of release. Three months later, defendant sought to modify the conditions of his release and the government objected. I set a hearing, and the government sought to revoke his release based upon a domestic abuse charge. Defendant reserved his right to a detention hearing. Defendant has pleaded guilty.

Counsel for Plaintiff:

Edward J. Kumiega  
United States Attorney's Office for the Western District of Oklahoma  
210 West Park Avenue  
Suite 400  
Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant:

Paul A. Lacy (appointed)  
Federal Public Defender for the Western District of Oklahoma  
215 Dean A. McGee Avenue  
Suite 109  
Oklahoma City, Oklahoma 73102  
405-609-5930

M. Michael Arnett (later retained)  
Arnett Law Firm  
3133 Northwest 63rd Street  
Oklahoma City, Oklahoma 73106  
405-767-0522

- 5) *United States v. Billings*, No. 14-CR-306-M, Doc. 18 (W.D. Okla. Jan. 5, 2015). Order supplied.

The government charged defendant with three counts of conspiracy to engage in illicit sexual conduct / sex trafficking. I released defendant subject to home detention and GPS monitoring. After two months on pretrial release, defendant sought to ease his restrictions, and the government did not object. I denied the motion. Defendant filed two more motions to modify. The government opposed both. After a hearing on the second motion, I denied it. After defendant filed a third motion, the pretrial services officer reported that defendant asked him to falsify a document regarding his primary residence. After a hearing, I found

probable cause regarding the attempted fraud. The government and defendant provided additional evidence and I found that revocation of defendant's pretrial release was not required at this juncture. Defendant is awaiting trial.

Counsel for Plaintiff:

David P. Petermann  
Robert D. Gifford, II  
United States Attorney's Office for the Western District of Oklahoma  
210 West Park Avenue  
Suite 400  
Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant:

Daniel L. White  
Daniel L. White, Attorney at Law  
Post Office Box 94551  
Oklahoma City, Oklahoma 73143  
405-249-9162

- 6) *Abbus v. Miller et al.*, No. CIV -14-214-C, 2014 WL 6901504 (W.D. Okla. Dec. 5, 2014), *adopting report and recommendation*.

The defendants raised an affirmative defense that plaintiff, proceeding pro se, failed to exhaust claims that they deliberately placed him in an unsafe situation in his cell, and actively allowed other inmates to assault him while he was handcuffed. I recommended that summary judgment was appropriate for two of the three defendants. But as to the third defendant, Warden Miller, I recommended that plaintiff satisfied the exhaustion process. Plaintiff submitted a request to staff to the Warden, seeking a transfer from one part of the facility to another. The Warden responded, stating that "a transfer will be initiated." Upon receipt of a favorable outcome such as this response, no further exhaustion is necessary. Mr. Abbus has since requested counsel, whom I appointed. The Warden raised no other defenses in their motion for summary judgment, so this case is set for trial.

Counsel for Plaintiff:

Elizabeth A. Price  
Hartzog Conger Cason & Neville  
201 Robert S. Kerr Avenue  
Suite 1600  
Oklahoma City, Oklahoma 73102  
405-235-7000



Counsel for Defendants:

Darrell L. Moore  
J. Ralph Moore PC  
Post Office Box 368  
Pryor, Oklahoma 74362  
918-825-0332

7) *United States v. Jones*, No. 14-CR-64-F (W.D. Okla. Feb. 28, 2014).

The grand jury returned an indictment charging defendant with distribution of red phosphorous in violation of 18 U.S.C. § 841(c)(2). The government sought defendant's pretrial detention. The government presented evidence of the purchase of red phosphorous in 2012, and several protective orders filed against defendant. Defendant, self-employed on his farm at the time of his arrest, had a previous drug-related conviction in state court and allegedly threatened someone on his acreage by shooting a firearm in the air in 2003. Defendant had signed up for the Clean Start program for random drug screening. Since 2012, 37 tests came back negative. The court determined that it could formulate conditions to reasonably assure the safety of the community, which included residence at a halfway house and participation in drug-treatment, if the pretrial services officer so directed. After two months in the halfway house, the court modified defendant's conditions to allow him to live on his family farm. Defendant pleaded guilty and received a five-year term of probation with 30 days' weekend incarceration.

Counsel for Plaintiff:

Ashley L. Altshuler  
Edward J. Kumiega  
United States Attorney's Office for the Western District of Oklahoma  
210 West Park Avenue  
Suite 400  
Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant:

Richard W. Anderson  
Solo Practitioner  
1021 Northwest 16th Street  
Oklahoma City, Oklahoma 73106  
405-521-9600

8) *United States v. Tucker*, No. 14-CR-330-R, Doc. 27 (W.D. Okla. Oct. 22,

2014). Order supplied.

The government charged defendant, a 39-year-old male, with trafficking cocaine. After a contested detention hearing, I ordered him detained pending trial. Defendant had served a significant term of incarceration in Oklahoma for a similar offense; he escaped in 2002 and was eventually located in California one year later. After his release, the defendant sustained two felony drug convictions. He was unemployed for a significant period of time, and the probation officer received discrepant information regarding his personal history and family ties. Defendant has since pleaded guilty and received a 60-month sentence.

Counsel for Plaintiff:

Ashley L. Altshuler  
Kerry Blackburn  
United States Attorney's Office for the Western District of Oklahoma  
210 West Park Avenue  
Suite 400  
Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant:

Charles Henry  
Henry Law Firm  
Post Office Box 21746  
Oklahoma City, Oklahoma 73156  
405-521-1210

9) *United States v. Laster et al.*, No. 14-CR-332-R (W.D. Okla. Oct. 2014 – Apr. 2015).

Ten defendants were charged by a criminal complaint with conspiracy to possess with intent to distribute methamphetamine. I held five preliminary and six detention hearings. I found probable cause as to the charges and released each defendant subject to a variety of conditions. The grand jury later returned a 43-count indictment against 11 defendants. One defendant I released violated her conditions of release and I ordered her detained. Another defendant has had several conditions removed, and I have increased the conditions on two additional defendants. Several defendants have since pleaded guilty and have been sentenced or are awaiting sentencing.

Counsel for Plaintiff:

Ashley L. Altshuler  
Kerry Blackburn

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Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant J. Laster:

David B. Autry  
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1021 Northwest 16th Street  
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405-521-9600

Counsel for Defendant R. Rodriguez:

C. Merle Gile  
C. Merle Gile Inc. PC  
411 Northwest Fifth Street  
Oklahoma City, Oklahoma 73102  
405-528-3000

Counsel for Defendant T. Laster:

Fred L. Staggs  
Solo Practitioner  
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Oklahoma City, Oklahoma 73103  
405-990-5523

Counsel for Defendant G. Laster:

Perry W. Hudson  
Solo Practitioner  
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405-208-4595

Counsel for Defendant R. Ray, Jr.:

Joseph G. Shannonhouse, IV  
Shannonhouse Law Offices PLLC  
500 North Walker Avenue  
Suite C-100  
Oklahoma City, Oklahoma 73102  
405-415-1700

Counsel for Defendant B. Stadom:

Larry W. Tedder  
Larry W. Tedder, Attorney at Law  
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Oklahoma City, Oklahoma 73102  
405-239-2777

Counsel for Defendant A. Santiago:

Irven R. Box  
Box & Box  
2621 South Western Avenue  
Oklahoma City, Oklahoma 73109  
405-632-7778

Counsel for Defendant L. Parks:

Joseph L. Wells  
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405-942-8800

Counsel for Defendant A. Moore:

Richard E. Stout  
Stout & Stout  
901 South Bryant Avenue  
Suite D  
Edmond, Oklahoma 73034  
405-341-2222

- 10) *United States v. Jones*, No. 11-CR-274-L, Doc. 16 (W.D. Okla. July 5, 2013). Order supplied.

The government sought detention of defendant pending his supervised release revocation hearing. Defendant proffered he would live with his mother and abstain from consuming any alcohol or illicit substances. He also proffered that he had been previously released with the government's consent. Defendant's whereabouts remained unknown to the probation officer for nearly six weeks. Given defendant's history of driving under the influence, I determined he could not establish by clear and convincing evidence that he posed no danger to the community, so I granted the government's request.

Counsel for Plaintiff:

Kerry A. Kelly  
United States Attorney's Office Western District of Oklahoma  
210 West Park Avenue  
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Oklahoma City, Oklahoma 73102  
405-553-8700

Counsel for Defendant:

William P. Early  
Federal Public Defender for the Western District of Oklahoma  
215 Dean A. McGee Avenue  
Suite 109  
Oklahoma City, Oklahoma 73102  
405-609-5930

- 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) *Dickey v. Patton*, No. 15-cv-685-M, 2015 WL 8592709 (W.D. Okla. Sept. 28, 2015), *adopted by* 2015 WL 8494009 (W.D. Okla. Dec. 10, 2015).

Counsel for Petitioner:

James L. Hankins  
Hankins Law Office  
929 Northwest 164th Street  
Edmond, Oklahoma 73013  
405-753-4150

Counsel for Respondent:

Jay L. Schniederjan  
Attorney General's Office  
313 Northeast 21st Street  
Oklahoma City, Oklahoma 73105  
405-521-3921

- 2) *Burris v. Oklahoma, ex rel., Okla. Dep't of Corrections*, No. CIV-13-867-D, 2014 WL 1117289 (W.D. Okla. Mar. 19, 2014), *adopting first report and recommendation* and Doc. 54 (W.D. Okla. Sept. 3, 2015), *adopted by*

Doc. 56 (W.D. Okla. Oct. 15, 2015). Second report and recommendation supplied.

Counsel for Plaintiff:

E. Ed Bonzie  
Chandler & Bonzie  
8201 South Walker Avenue  
Suite C  
Oklahoma City, Oklahoma 73139  
405-631-1021

Counsel for Defendant:

Justin P. Grose  
Kari Y. Hawkins  
Attorney General's Office - Oklahoma City  
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Oklahoma City, Oklahoma 73105  
405-521-3921

- 3) *Parks v. Watts et al.*, No. 14-359-M, Doc. 76 (W.D. Okla. Mar. 6, 2015), adopted by Doc. 92 (W.D. Okla. Sept. 1, 2015). Report and recommendation supplied.

Counsel for Plaintiff:

Pro Se

Counsel for Defendants:

Gus H. Buthman  
University of Oklahoma Office of Legal Counsel  
660 Parrington Oval  
Suite 213  
Norman, Oklahoma 73019  
405-325-4124

- 4) *Williamson v. Parker*, No. CIV-13-899-D, 2015 WL 1061131 (W.D. Okla. Mar. 10, 2015), adopting report and recommendation.

Counsel for Petitioner:

Dan L. Holloway  
Holloway Bethea & Osenbaugh PLLC  
3035 Northwest 63rd Street

Suite 102N  
Oklahoma City, Oklahoma 73116  
405-246-0600

Counsel for Respondent:

Theodore M. Peeper  
Attorney General's Office – Oklahoma City  
313 Northeast 21st Street  
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405-521-3921

- 5) *Stubbs v. Colvin*, No. CIV-14-399-F, 2015 WL 4730172 (W.D. Okla. July 2, 2015), *adopted by* 2015 WL 4742509 (W.D. Okla. Aug. 10, 2015).

Counsel for Plaintiff:

Kyle J. Saunders  
Saunders & Saunders  
Post Office Box 1605  
Ada, Oklahoma 74820  
580-436-5330

Counsel for Defendant:

Pamela M. Wood  
Social Security Administration – Denver  
1961 Stout Street  
Suite 4169  
Denver, Colorado 80294  
303-844-0449

- 6) *Burgess v. Evans*, No. CIV-13-724-M, 2014 WL 6967000 (W.D. Okla. Dec. 8, 2014), *adopting report and recommendation*.

Counsel for Petitioner:

Stephen L. Jones  
Jones Otjen & Davis-Enid  
214-A North Independence Street  
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Enid, Oklahoma 73702  
580-242-5500

Counsel for Respondent:

Donald D. Self  
Attorney General's Office – Oklahoma City  
313 Northeast 21st Street  
Oklahoma City, Oklahoma 73105  
405-521-3921

- 7) *Bush v. Colvin*, No. CIV-13-977-M, 2014 WL 5343557 (W.D. Okla. Oct. 20, 2014), *adopting report and recommendation*.

Counsel for Plaintiff:

Miles L. Mitzner  
Mitzner Law Firm  
Post Office Box 5700  
Edmond, Oklahoma 73083  
405-348-3400

Counsel for Defendant:

Earnie A. Joe  
Social Security Administration – Dallas  
Office of General Counsel  
1301 Young Street, Suite A702  
Dallas, Texas 75202  
214-767-4476

- 8) *Madden v. Farris*, No. CIV-13-1350-HE, 2014 WL 3900133 (W.D. Okla. Aug. 7, 2014), *adopting report and recommendation*.

Counsel for Petitioner:

Pro Se

Counsel for Respondent:

Lori S. Smith-Carter  
Attorney General's Office – Oklahoma City  
313 Northeast 21st Street  
Oklahoma City, Oklahoma 73105  
405-521-3921

- 9) *James v. Warden, FCI El Reno*, No. CIV-13-641, 2014 WL 1330015 (W.D. Okla. Mar. 12, 2014), *adopted by* 2014 WL 1328304 (Mar. 28, 2014).

Counsel for Petitioner:



Pro Se

Counsel for Respondent:

Matthew P. Anderson  
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Oklahoma City, Oklahoma 73102  
405-553-8700

- 10) *Panichas v. Bullock, et al.*, No. CIV-12-1222-W, 2014 WL 584751 (W.D. Okla. Feb. 12, 2014), *adopting report and recommendation*.

Counsel for Plaintiff:

Pro Se

Counsel for Defendants:

Darrell L. Moore  
J. Ralph Moore PC  
Post Office Box 368  
Pryor, Oklahoma 74362  
918-825-0332

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

*Jackson v. McCollum*, No. 13-CIV-147, 2014 WL 3689671 (W.D. Okla. July 23, 2014), *aff'd*, 587 F. App'x 502 (10th Cir. 2014), *cert. dismissed*, No. 14-10125, 2015 WL 3548526 (2015).

*Morgan v. Addison*, No. 14-CIV-337, 2014 WL 2197995 (W.D. Okla. May 2, 2014), *aff'd*, 574 F. App'x 852 (10th Cir. 2014), *cert. denied*, 135 S. Ct. 1496 (2015).

*Thomas v. Rios*, No. 13-CIV-350, 2013 WL 3564017 (W.D. Okla. July 11, 2013), *certif. of appealability denied*, 548 F. App'x 508 (10th Cir. 2013), *cert. dismissed*, *Thomas v. Chester*, 134 S. Ct. 1886 (2014).

*Escobar v. Trammell*, No. 12-CIV-723, 2013 WL 1679989 (W.D. Okla. Mar. 15, 2013), *certif. of appealability denied*, *Escobar v. Chrisman*, 530 F. App'x 839 (10th Cir. 2013), *cert. denied*, 134 S. Ct. 929 (2014).

*Glover v. Fox*, No. 13-CIV-965, 2013 WL 5740449 (W.D. Okla. Sept. 24, 2013),

*certif. of appealability denied*, 550 F. App'x 592 (10th Cir. 2013), *cert. denied*, 134 S. Ct. 2737 (2014).

- 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.

*Reid v. United States*, No. 14-CIV-6206, 2014 WL 1342824 (W.D. Okla. Mar. 31, 2014); 2015 WL 5672624 (10th Cir. Sept. 28, 2015). The district judge adopted my recommendation that because plaintiff filed his complaint past the Federal Tort Claims Act's two-year statutory deadline, the court lacked jurisdiction to consider the complaint. I relied on binding Tenth Circuit precedent in making my recommendation. *Dahl v. United States*, 319 F.3d 1226, 1228 (10th Cir. 2003). I also recommended that in the alternative, the court deny plaintiff's request for equitable tolling. The district judge did not reach that determination. After the Supreme Court decided *United States v. Wong*, 135 S. Ct. 1625 (2015), holding that § 2401(b)'s time limits are nonjurisdictional and therefore subject to equitable tolling, the Tenth Circuit reversed and remanded the district court's decision. The case remains pending.

*Conley v. Colvin*, No. CIV-14-55-R, 2014 WL 7399191 (W.D. Okla. Nov. 13, 2014); 2014 WL 7399193 (W.D. Okla. Dec. 29, 2014). The district judge disagreed with my recommendation to affirm the administrative law judge's (ALJ) denial of supplemental security income under the Social Security Act. The ALJ determined that the claimant could perform simple tasks with routine supervision and that she could perform jobs that exist in significant numbers in the national economy and was not disabled. The district judge disagreed with the ALJ, finding that the claimant's "marked difficulty" in carrying out detailed instructions is not "logically connected" to the performance of simple tasks with routine supervision. As such, the district judge concluded that the ALJ's reliance on jobs that exist in significant numbers in the national economy was not supported by substantial evidence.

*Jones v. Miller*, No. CIV-13-285-D, 2014 WL 4810349 (W.D. Okla. July 1, 2014); 2014 WL 4267409 (W.D. Okla. Aug. 27, 2014). The district judge disagreed with my recommendation to dismiss the plaintiff-prisoner's complaint. I agreed with defendants' affirmative defense that the prisoner failed to properly exhaust his administrative remedies as required by the Prison Litigation Reform Act of 1995. The prison's Administrative Review Authority rejected the prisoner's appeal as untimely, and returned the grievance appeal unanswered. The district judge noted that the prisoner's initial grievance was returned as unanswerable because it contained a non-grievable issue. Concluding that the prison's grievance process did not permit the prisoner to re-submit the grievance,

he had no available remedy, and as such, issues of fact precluded the grant of summary judgment to defendants.

*Neal v. Lester*, No. CIV-11-960-R, Doc. 48 (W.D. Okla. Feb. 28, 2013); *adopted in part* by Doc. 56 (W.D. Okla. July 18, 2013); 2014 WL 6060911 (W.D. Okla., June 12, 2014) (supplemental report and recommendation), *adopted by* 2014 WL 6061020 (W.D. Okla. Nov. 12, 2014). Decisions supplied. The district judge disagreed with my first recommendation to grant defendant's motion to dismiss a pre-trial-detainee's Eighth Amendment deliberate indifference claim, but adopted my recommendation in all other respects. After defendant filed a motion for summary judgment, the district judge adopted my recommendation that the same claim be dismissed because the detainee-plaintiff could not demonstrate that defendant was deliberately indifferent to his request for outside medical treatment for his injured eye.

*Hanes v. Colvin*, No. CIV-13-802-R, Doc. 13 (W.D. Okla. May 22, 2014), Doc. 17 (W.D. Okla. July 1, 2014). Decisions supplied. The district judge disagreed with my recommendation to affirm the Administrative Law Judge's (ALJ) denial of disability insurance benefits and supplemental security income under the Social Security Act. The ALJ concluded that the claimant could not perform math calculations, and that he could perform the job of floor technician. The floor technician job did not require any arithmetic operations, but only required data comparisons, and I agreed with the ALJ that the claimant could perform it. The district court concluded that the position of floor technician requires math skills greater than those the claimant displayed.

*Spratt v. Colvin*, No. CIV-13-299-D, 2014 WL 2112526 (W.D. Okla. Jan. 30, 2014); 2014 WL 2153933 (W.D. Okla. May 20, 2014). The district judge disagreed with my recommendation to affirm the Administrative Law Judge's (ALJ) denial of disability benefits under the Social Security Act. The ALJ determined that since the claimant's 2005 decision granting disability benefits, the claimant medically improved and no longer suffered from a severe mental impairment, relying on two unpublished cases from the Tenth Circuit. The district judge disagreed with the ALJ's medical improvement finding, adopting the approach from the Second Circuit and concluding that substantial evidence did not support the medical improvement finding.

*Christian v. Jones*, No. CIV-13-CIV-501-C, Doc. 8 (W.D. Okla. June 28, 2013), Doc. 13 (W.D. Okla. Sept. 5, 2013). Decisions supplied. The district judge agreed with my substantive finding that the petitioner had failed to exhaust his state court remedies before filing his petition for writ of habeas corpus. However, the court declined to adopt my recommendation that it administratively close the case to allow the petitioner to complete the exhaustion process because the petitioner gave no good cause in his objections. Instead, the district judge entered an order dismissing the petition on non-exhaustion grounds.

*United States v. Hoss*, CR-13-63-F-33, Doc. 81 (W.D. Okla. Apr. 15, 2013), vacated by Doc. 195 (W.D. Okla. Apr. 29, 2013). Decisions supplied. The grand jury returned an indictment charging racketeering, illegal gambling and conspiracy to commit money laundering against defendant. The government sought defendant's detention. I found that defendant's release would pose a serious risk that he would obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror. I noted that defendant was released after pleading guilty to shooting with intent to kill in a state-court action. He had several protective orders filed against him. As part of his state-court release, he was twice told to have no weapons – yet he had 21 firearms in his home when authorities arrested him. The district court instead released defendant on GPS monitoring.

- 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.

100% of my reports and recommendations are unpublished. These are filed via our electronic case management system and Westlaw.

- 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.

*Daubert v. McCollum*, No. CIV-14-555-D, 2015 WL 1859117 (W.D. Okla. Apr. 22, 2015), *adopting report and recommendation*.

*McCrory v. Jones*, No. CIV-13-573-M, 2015 WL 873641 (W.D. Okla. Feb. 27, 2015), *adopting report and recommendation*.

*Williamson v. Parker*, No. CIV-13-899-D, 2014 WL 773466 (W.D. Okla. Feb. 24, 2014), *adopting report and recommendation and re-referring case*; 2015 WL 1061131 (W.D. Okla. Mar. 10, 2015), *adopting report and recommendation*.

*Burgess v. Evans*, No. CIV-13-724-M, 2014 WL 6967000 (W.D. Okla. Dec. 8, 2014), *adopting report and recommendation*.

*Madden v. Farris*, No. CIV-13-1350, 2014 WL 3900133 (W.D. Okla. Aug. 7, 2014), *adopting report and recommendation*.

*Waters v. Newton-Embry*, No. CIV-12-0894-HE, 2014 WL 1342822 (W.D. Okla. Apr. 3, 2014), *adopting report and recommendation*.

*Phillips v. Jones*, No. CIV-12-0735-HE, 2013 WL 6169295 (W.D. Okla. Nov. 21, 2013), *adopting report and recommendation*.

- 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 not sat by designation on any federal appellate court.

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.

With assistance from the Administrative Office of the United States Courts, our court has instituted an automated system to aid judges in screening cases for conflicts of interest. I update the information for that automated system as needed. I rely on that system and also evaluate each case, both at the time of initial reference and again if it is assigned to me for all purposes on the consent of the parties, to identify any potential conflict. Also, as a matter of practice, I recused myself from any case I had worked on, researched, or had knowledge of while working at the United States Attorney’s Office.

A search of my court’s case management system as well as my own records reflects that a party sought my recusal in 2013 in two related cases: *Harper v. Woodward Cnty. Bd. of Comm’rs, et al.*, No. 11-CIV-996-HE and *Harper v. Rudek, et al.*, No. 12-CIV-449-HE. Plaintiff alleged bias based on his unhappiness with my prior rulings. After reviewing the record in each case, I denied plaintiff’s motions.

Occasionally, the entire court for the Western District of Oklahoma has been recused because a member of the court, courthouse staff, or a related federal agency has been named as a defendant. One instance of which I am aware includes: *Stout, et al. v. U.S. Marshal Service, et al.*, No. 13-CIV-15-753-WPJ (W.D. Okla. 2013). Another instance where the court recused involved a sealed

matter. I have also recused in another sealed matter where a related federal agency's chief officer was named as a defendant.

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

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

I have not held any public offices. I have not had any unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

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

None.

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 1996 to 1997, I served as a law clerk to the Honorable Robert H. Henry, Circuit Judge for the United States Court of Appeals for the Tenth Circuit. From 1999 to 2010, I served as Judge Henry's senior law clerk.

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

I have never 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.

1997 – 1999  
McAfee & Taft  
211 North Robinson Avenue  
Oklahoma City, Oklahoma 73102

Associate

2010 – 2013

United States Attorney's Office for the Western District of Oklahoma  
United States Federal Courthouse  
210 Park Avenue, Suite 400  
Oklahoma City, Oklahoma 73102  
Assistant United States Attorney – Appellate Division

2013 – Present

United States District Court for the Western District of Oklahoma  
200 Northwest Fourth Street  
Oklahoma City, Oklahoma 73102  
United States Magistrate Judge

- 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 never served as a mediator or arbitrator.

b. Describe:

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

From 1997 to 1999, as an associate at McAfee & Taft in Oklahoma City, I performed due diligence for the corporate and securities practice group. I assisted with initial public offerings, high-yield debt offerings, equity offerings, mergers and acquisitions, real estate transactions, and asset purchases. I also reviewed and performed due diligence in connection with our clients' Securities and Exchange Commission's 10-K, quarterly, and other filings. I also advised on and reviewed for compliance with the Securities Acts of 1933 and 1934, the Investment Advisers Act of 1940, state blue sky laws, and the Uniform Commercial Code.

In 1999, I rejoined the federal court as the senior law clerk for Judge Henry on the United States Court of Appeals for the Tenth Circuit. During my tenure, I wrote bench memos for oral argument preparation, and researched and drafted opinions on extensive areas of federal, criminal and civil law, and numerous issues of state law. I also managed, supervised, mentored, and trained incoming law clerks.

In 2010, I became an Assistant United States Attorney for the Western District of Oklahoma – Appellate Division. I prepared all aspects of federal appellate cases, including briefing, mediation, and argument before

the United States Court of Appeals of the Tenth Circuit. I advised trial Assistant United States Attorneys regarding trial strategies, evidentiary issues, jury instructions, and other litigation issues. I also advised regarding potential cases or issues to appeal or to seek en banc review, and drafted memoranda for these purposes. I prepared and engaged in preparation for oral argument through editing and arranging moot courts for all orally argued cases. I advised as to retroactive sentencing guidelines, served as appellate adviser of complex cases and capital cases, and advised and prepared memoranda regarding new legislation and Supreme Court cases.

Since 2013, as a United States Magistrate Judge, I have handled a substantial amount of prisoner litigation, as the Western District of Oklahoma includes both of the States' federal correctional facilities and numerous other state, local and private facilities. In these cases and in Social Security appeals, which are automatically referred to magistrate judges, I produce reports and recommendations, except for cases where I have received consents from the parties. I also manage the initial proceedings in all criminal matters when I am assigned criminal duty. These matters include complaints, search warrants, pen registers, initial appearances, preliminary hearings, detention hearings, arraignments, grand jury returns, and appointments of counsel. I have responsibility for varying Central Violations Bureau dockets as the Western District of Oklahoma includes two United States Air Force bases, one United States Army base, Indian lands, wildlife preserves, and other federal enclaves. I regularly handle settlement conferences in a wide variety of federal and state-law matters, particularly in the more complex and contentious cases. I also chair the Western District of Oklahoma's Committee for the Appointment of Criminal Justice Act Counsel.

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

While at McAfee & Taft, I specialized in corporate and secured transactions, representing Oklahoma-based companies in a variety of financial transactions and offerings. As an Assistant United States Attorney, my client was the United States of America.

- 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 would estimate that 90% of my practice have been spent in litigation. At McAfee & Taft, I did not appear in court. While an Assistant United States Attorney, I was in court regularly.



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:    | 40% |
| 2. criminal proceedings: | 60% |

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 never tried a case to verdict, judgment or final decision.

i. What percentage of these trials were:

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

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 never practiced before the Supreme Court of the United States.

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

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

In each of the cases below, unless otherwise indicated, I was the primary or sole drafter of the appellate brief(s) and motions. If oral argument was heard, I argued the case before the United States Court of Appeals for the Tenth Circuit, with one

exception (noted below). In each case, I represented the United States of America.

1) *Ingram v. Faruque*, 728 F.3d 1239 (10th Cir. 2013)

Appellant claimed that federal officials and doctors at the Department of Veterans Affairs (VA) violated his Fourth and Fifth Amendment rights by holding him in a psychiatric ward for over 24 hours without his consent. Appellant filed damages claims pursuant to *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971). The district court found that the Federal Tort Claims Act and the VA Immunity Statute (38 U.S.C. § 7316) provided appellant with an adequate remedy, and as such it lacked subject matter jurisdiction, and dismissed appellant's claims. On appeal, the Tenth Circuit agreed that the Federal Tort Claims Act provided the exclusive remedy for appellant's injury, and that *Bivens* did not provide an additional remedy.

Dates of Representation: 2012 – 2013

Panel: U.S. Circuit Judges Scott Matheson, Jr., David Ebel, and Michael Murphy

Co-Counsel:

Sanford C. Coats  
United States Attorney's Office for the Western District of Oklahoma  
210 West Park Avenue, Suite 400  
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Laura M. Grimes  
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619-557-5610

Opposing Counsel:

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Cotton Law Firm  
2537 South Kelly Avenue  
Suite C  
Edmond, Oklahoma 43013  
405-726-1340

2) *United States v. Figueroa-LaBrada*, 720 F.3d 1258 (10th Cir. 2013)

A jury convicted appellant of conspiring to possess methamphetamine with intent to distribute. The presentence report recommended that the aggregate amount of contraband at issue in the conspiracy be attributed to appellant, although appellant was involved in only a portion of the total transactions. Although the government flagged the issue at the sentencing hearing, appellant did not lodge an objection. The district court followed the presentence report's recommendation and sentenced appellant based on the aggregate amount of contraband. Appellant did raise the issue before the Tenth Circuit on appeal. I argued that appellant had waived this argument, given his agreement that the presentence report was accurate. I also argued that in the alternative, appellant could not establish plain error. The Tenth Circuit held the district court's failure to make particularized findings and its reliance on an undisputed presentence report amounted to plain error, given that it was reasonably probable that only a certain amount of the contraband could be attributed to appellant, and reversed. The district court then sentenced appellant to 63 months' imprisonment. On appeal, the Tenth Circuit again reversed, holding that the district court failed to consider certain safety-valve arguments. The district court then sentenced appellant to time served.

Dates of Representation: 2012 – 2013

Panel: U.S. Circuit Judges Jerome Holmes, Michael Murphy, and Scott Matheson, Jr.

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3) *United States v. Rich*, 708 F.3d 1135 (10th Cir. 2013)

Appellant pleaded guilty to one count of felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1). Because he had been previously convicted of three predicate offenses, he qualified for enhanced

punishment under the Armed Career Criminal Act (ACCA), 18 U.S.C. § 924(e). The district court concluded the ACCA applied and sentenced him to the mandatory minimum of 180 months' imprisonment. Before the Tenth Circuit, appellant challenged the imposition of the sentencing enhancement arguing that his prior juvenile adjudication was "dismissed" by Oklahoma courts and should not be counted as a prior conviction under the ACCA. He also argued that the ACCA violated substantive due process by considering these older juvenile adjudications. On appeal, the Tenth Circuit affirmed the sentence, holding that the statutory language of section 924(e) and prior precedent foreclosed appellant's arguments. The court disagreed that the Oklahoma court's dismissal of the juvenile adjudication was an expungement for ACCA purposes.

Dates of Representation: 2012 – 2013

Panel: U.S. Circuit Judges Mary Beck Briscoe, William Holloway, Jr., and Harris Hartz

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4) *United States v. Washington*, 706 F.3d 1215 (10th Cir. 2012)

Appellant pleaded guilty to two firearms charges. Before sentencing, the United States filed a notice of prior felony convictions to support a sentencing enhancement under the Armed Career Criminal Act (ACCA), 18 U.S.C. § 924(e). The district court agreed to enhance appellant's sentence and sentenced him to 180 months' imprisonment, the mandatory minimum under the ACCA. On appeal, appellant argued that his prior conviction for "pointing a weapon" was necessarily a misdemeanor and should not have counted as a prior felony under the ACCA. The Tenth Circuit rejected this and other arguments, and affirmed the district court's sentence.

Dates of Representation: 2012 – 2013

Panel: U.S. Circuit Judges Harris Hartz, Monroe McKay, and Timothy Tymkovich

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5) *United States v. Farr*, 701 F.3d 1274 (10th Cir. 2012)

A jury convicted appellant of willfully failing to pay a trust fund recovery penalty that the Internal Revenue Service assessed against her after she, as the manager of an alternative medical clinic, failed to pay quarterly employment taxes owed by the clinic. On appeal, appellant contended that she was denied her Sixth Amendment right to a fair trial by several of the district court's evidentiary rulings. The Tenth Circuit affirmed the conviction. The court agreed with the district court that certain prior bad acts were relevant to establish appellant's intent and to refute her assertion that she was unaware of the penalty. The court also agreed with the district court that appellant's repeated attempts to change the name of the clinic were relevant to show that she intended to evade clinic penalties. Finally, the court rejected appellant's remaining evidentiary and sufficiency of the evidence challenges, as well as her claim that double jeopardy had applied, noting that the court had addressed that issue in a previous opinion.

Dates of Representation: 2011 – 2012

Panel: U.S. Circuit Judges Mary Beck Briscoe, William Holloway, Jr., and Harris Hartz

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6) *Turner v. McGee*, 681 F.3d 1215 (10th Cir. 2012)

Appellant, a member of the Kiowa Tribe, was charged by Oklahoma state authorities with instituting or encouraging cockfighting. While the state prosecution was ongoing, appellant requested that the Court of Indian Offenses for the Kiowa Tribe enjoin the state proceeding, but the court dismissed for lack of subject matter jurisdiction. Appellant was ultimately convicted in state court. Appellant then sued the judges of the Court of Indian Offenses in federal district court. The district court denied relief, concluding that the defendants were entitled to sovereign immunity as tribal officials. In a supplemental brief before the Tenth Circuit, I argued that appellant also lacked standing because he could not establish redressability because nothing in the record indicated that the district court had any power to order the Court of Indian Offenses to discharge its duties in any specific manner. The Tenth Circuit agreed and affirmed the district court on this alternative ground.

Dates of Representation: 2011 – 2012

Panel: U.S. Circuit Judges Carlos Lucero, Harris Hartz, and Terrence O'Brien

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512-320-7225

7) *United States v. Delossantos*, 680 F.3d 1217 (10th Cir. 2012)

Appellant pleaded guilty to being a felon in possession of firearms in violation of 18 U.S.C. § 922(g)(1). Before sentencing, the government filed a notice of its intent to seek an enhanced sentence under the Armed Career Criminal Act (ACCA), 18 U.S.C. § 924(e), based on appellant's four prior convictions for serious drug offenses. Appellant objected, arguing that each of these convictions arose from a single criminal episode and thus should be treated as a single conviction for purposes of § 924(e)(1). The district court disagreed with appellant's argument and sentenced him accordingly. Appellant challenged the district court's determination on appeal. The Tenth Circuit agreed that appellant's prior convictions arose from drug sales that occurred on four different dates, giving him ample opportunity to cease his criminal conduct. Thus, the Tenth Circuit concluded that the sentencing enhancement was appropriately applied and affirmed the district court.

Dates of Representation: 2011 – 2012

Panel: U.S. Circuit Judges Michael Murphy, Bobby Baldock, and Harris Hartz

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8) *United States v. Hunt*, 673 F.3d 1289 (10th Cir. 2012)

Appellant received an 18-month sentence for violating the terms of his supervised release. The district court had twice previously revoked his supervised release and he served time on each revocation. On appeal, he argued that his sentence was illegal because the additional 18 months for his third violation combined with the sentences imposed for his first two violations exceeded the maximum amount of supervised release authorized for his original offense. Under appellant's reading of 18 U.S.C. § 3583, he should have received a credit for his prior revocation sentences. The Tenth Circuit, relying on persuasive Fifth Circuit authority, held that § 3582(e)(3) contains no aggregation requirement and that the maximum allowable sentence applies to each parole violation. The court concluded that the district court was well within its authority to impose another sentence of 18 months' imprisonment notwithstanding the prior terms of imprisonment for past parole violations. Thus, the court affirmed.

Dates of Representation: 2011 – 2012

Panel: U.S. Circuit Judges Mary Beck Briscoe, Bobby Baldock, and Timothy Tymkovich

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9) *United States v. Hendrix*, 664 F.3d 1334 (10th Cir. 2011)

Appellant entered a conditional plea of guilty to one count of drug possession, reserving his right to challenge the warrantless search of his hotel room. An informant had reported that he had purchased methamphetamine in the hotel room and provided specific details. Officers knocked on the door of the hotel room, and a female occupant denied entry. Officers then heard people moving inside the room, doors opening and closing, and a toilet flushing. Officers entered the room and discovered methamphetamine, drug paraphernalia, and video monitors. On appeal, I argued that the potential destruction of drug evidence satisfied the exigent circumstances exception to the warrant requirement, but also motioned the court to stay the case pending the Supreme Court's decision in *Kentucky v. King*, 563 U.S. 452 (2011). *King* held that where police do not create the exigency by engaging or threatening to engage in conduct that violates the Fourth Amendment, warrantless entry to prevent the destruction of evidence is allowed. Once the stay was lifted, the Tenth Circuit agreed that the potential destruction of drug evidence otherwise justified the warrantless entry.

Dates of Representation: 2010 – 2011

Panel: U.S. Circuit Judges Michael Murphy, William Holloway, Jr., and Terrence O'Brien

Co-Counsel:

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405-528-3000

10) *Standifer v. Ledezma*, 653 F.3d 1276 (10th Cir. 2011)

Appellant, appearing pro se, sought habeas relief and challenged a Bureau of Prisons regulation that denied him eligibility to participate in its Residential Drug Abuse Program (RDAP). Appellant's last-reported date of drug use was more than three years before his arrest on federal charges. He contended that the

Bureau's policy requiring that it consider only his substance-abuse history for the 12 months preceding his arrest is based on an unreasonable interpretation of the authorizing statutes. The district court dismissed appellant's petition as meritless. On appeal, the Tenth Circuit agreed with the district court, holding that appellant's claim failed because the Bureau's eligibility requirement is based on a reasonable interpretation of the governing provisions. The Tenth Circuit also concluded that appellant's deliberate indifference claim could not be raised in a habeas petition.

Dates of Representation: 2011

Panel: U.S. Circuit Judges Terrence O'Brien, Bobby McKay, and Timothy Tymkovich

Co-Counsel:

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

The most significant legal activities, outside of the cases I have handled as a practitioner and as a judge, involve participation in the Western District of Oklahoma's Court Assisted Recovery Effort Program (CARE). In addition to biweekly reentry court sessions, I spend one to two hours weekly researching opportunities for mentors, for attorney pro bono assistance, for community service opportunities, housing assistance, grants, and developing relationships with community leaders, state drug courts, and other civic organizations to strengthen the program and the opportunities for program participants. I am working with our probation office gathering statistics and researching other programs with hopes to establish a second reentry court to serve an additional supervised release population.

As to mentoring, I have had eight externs work for me since I have been a Magistrate Judge. My engagement with students is hugely rewarding and keeps me apprised of current challenges today's law students face. I am also helping these students develop

editing and writing skills, and providing them with information about and exposure to the federal courts.

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 never taught a course.

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.

The only future benefits I expect to receive are from a self-directed 401(k) retirement plan and IRAs.

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 such plans, commitments or agreements if confirmed.

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).

See the attached Financial Disclosure Report.

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

See the attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

My husband is a shareholder at the law firm of McAfee & Taft in Oklahoma City. To date, I have recused myself from any case in which McAfee & Taft has made an appearance. That will remain unchanged as long as my spouse remains a shareholder there. I would continue to use our automated recusal system and evaluate cases to identify potential conflicts and recuse whenever appropriate.

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

I intend to continue my present practice with respect to identifying conflicts and determining whether recusal is appropriate. I will continue to adhere to the Code of Conduct for United States Judges, 28 U.S.C. § 455, and all applicable policies and procedures of the United States Courts. In addition, I will remain vigilant during the pendency of any case before me for any new information that might require disclosure or recusal.

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 Chair of the Federal Bar Association's Bench and Bar Committee, I arranged a webinar focusing on addiction, mental health issues, and the practice of law. I also serve on the Oklahoma City chapter's Mentoring Program Committee. This year we launched the first-of-its-kind mentoring program for practitioners with less than five years' experience. As Chair of Community Outreach, I secured a grant to firmly establish a law student division at the University of Oklahoma and support the division at the Oklahoma City University School of Law. To that end, I have coordinated a "lunch and learn" for United States Magistrate Judges and law students and held other informational sessions to encourage student membership. I also serve as Programming chair, ensuring affordable and engaging continuing legal education programs for members, nonmembers, and students.

I have also participated in various educational-related activities; included serving as a reading tutor with Oklahoma County Bar Association's Lawyers for Learning and also setting up a tutoring program for a nearby alternative high school.

26. **Selection Process:**

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

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

On March 17, 2014, I submitted my application for the vacancy in the Western District of Oklahoma. In July 2014, I met with staff for then-Congressman Lankford to discuss the federal court vacancy in Oklahoma City. On February 20, 2015, I interviewed with individuals selected by Senator Lankford's office in Oklahoma City. On March 31, 2015, I interviewed with Senator Lankford in his Oklahoma City office and again met with his staff. On August 6, 2015, Senator Lankford telephoned me to inform me that he and Senator Inhofe planned to submit my name to the White House for consideration.

Since October 7, 2015, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On November 20, 2015, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On December 16, 2015 the President submitted 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.