

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Ronald Arthur Parsons, Jr. (Ron Parsons)

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

United States Attorney for the District of South Dakota

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.

Johnson Janklow & Abdallah LLP
101 S. Main Avenue, Suite 100
Sioux Falls, SD 57104

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

1967; Southfield, Michigan

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

University of South Dakota School of Law, 1994-1997
J.D., Honor Graduate, 1997

University of Minnesota, 1991-1994
B.A. English, 1994

Texas Christian University, 1987-1989
No degree received

University of Minnesota, 1986-1987
No degree received

University of Texas at Arlington, 1985-1986
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.

COMPENSATED EMPLOYMENT

March 2021 – Present

Attorney

Johnson Janklow & Abdallah LLP

101 S. Main Ave, Suite 100

Sioux Falls, SD 57104

January 2018 – February 2021

United States Attorney

District of South Dakota

325 S. 1st Ave, #300

Sioux Falls, SD 57104

August 1998 – January 2018

Attorney

Johnson Janklow Abdallah Reiter & Parsons LLP

101 S. Main Ave, Suite 100

Sioux Falls, SD 57104

August 1997 – August 1998

Law Clerk

Honorable Roger L. Wollman

United States Court of Appeals for the Eighth Circuit

400 S. Phillips Ave #315

Sioux Falls, SD 57104

September 1995 – April 1997

Teaching and Research Assistant

University of South Dakota School of Law

414 E. Clark Street

Vermillion, SD 57069

May 1996 – August 1996

Summer Associate

Johnson Heidepriem Miner Marlow & Janklow LLP

431 N. Phillips Ave, Suite 400

Sioux Falls, SD 57104

(Same law firm at which I currently work)

UNCOMPENSATED EMPLOYMENT

August 2016 – September 2017

Appointed and sworn in as Limited Deputy State's Attorney for Minnehaha County
Minnehaha County State's Attorney
415 N. Dakota Ave
Sioux Falls, SD 57104
Listed as uncompensated because attorney fees were paid to the law firm

September 2004 – September 2006 (approximate dates)

Member, Board of Directors
Husby Performing Arts Center
Washington Pavilion of Arts and Science
301 South Main Avenue
Sioux Falls, SD 57104

September 1995 – May 1997

USD Book & Supply, Inc.
Member, Board of Directors 1995-97
President, Board of Directors 1996-97
University of South Dakota
414 East Clark Street
Vermillion, SD 57069

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

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

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

2017 Presented with the *IMLA Amicus Service Award* by the International Municipal Lawyers Association.

2016 Elected as a Fellow of the American Academy of Appellate Lawyers, the preeminent national association recognizing distinguished appellate advocacy.

2016 Presented with the U.S. District of South Dakota *Criminal Justice Act Panel Outstanding Lawyer Award* for "extraordinary legal work."

- 2016 Presented with the *IMLA Amicus Service Award* at a ceremony in Washington, D.C. by the International Municipal Lawyers Association.
- 2015 Elected as South Dakota's representative on the Board of Directors of the Eighth Circuit Bar Association
- 2015 Honored with Star Quilt by Native American Council of Tribes at the Annual Wacipi Honoring the Veterans for work on behalf of religious freedom rights of Lakota people in *Native American Council of Tribes v. Weber*.
- 2014 Toast of the Trial Lawyers Award for outstanding service to the community, profession, or clients over the previous year
- 2012 Toast of the Trial Lawyers Award for outstanding service to the community, profession, or clients over the previous year
- 2012 Featured for appellate work in *Chambers USA - America's Leading Lawyers for Business* in 2012 and every year since that time
- 2012 Named as "Litigation Star" in South Dakota by *Benchmark Litigation* in 2012 and every year since that time.
- 2011 Received highest possible rating by Martindale-Hubbell (AV-Preeminent) in 2011 and every year since that time.
- 2009 Honored as a *Great Plains Super Lawyer* and in *Super Lawyers, Corporate Counsel Edition* in 2009 and every year since that time.
- 2005 Selected for inclusion by his peers in the 2005 edition of *The Best Lawyers in America* and in every edition since that time.
- 2005 Sioux Falls Area Humane Society Friend of the Year for pro bono legal work involving rescued dogs.

University of South Dakota School of Law

- 1997 Thomas Sterling Honor Society
- 1997 Edward W. Hope Award for graduating student with highest grade point average
- 1995 – 1997 Law School Foundation Distinguished Scholar
- 1994 – 1997 Dean's List
- 1994 – 1997 Dean's Certificate for High Grade in: *Advanced Criminal Procedure, Appellate Advocacy, Employment Law, Jurisprudence, Legal Writing, Remedies and State Constitutional Law*
- 1997 Alan Bogue Excellence in Legal Writing Scholarship
- 1997 West Publishing Award for Outstanding Academic Achievement
- 1997 Horace R. Jackson Award for high score in a national appellate advocacy competition

1995 – 1997 Vice-president and member, Moot Court Board
 1995 Sam H. Masten Moot Court Competition: Semi-finalist, Best Brief Award
 1995 National Order of Barristers
 1995 South Dakota Trial Lawyers Association Scholarship

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.

Eighth Circuit Federal Advisory Committee

Federal Practice Committee, United States District Court, District of South Dakota

Eighth Circuit Bar Association
 Board of Directors (2015 – 2017)

American Bar Association

Second Circuit Bar Association (Second Circuit of South Dakota)

State Bar of South Dakota

New York State Bar

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.

State Bar of South Dakota. Admitted January 19, 1998, Active (no membership lapses)

New York State Bar. Admitted May 25, 2012. Voluntary application to resign granted on February 9, 2015. Admitted in anticipation of a possible move that did not happen. Applied for and was granted permission to voluntarily resign in 2015. I never practiced law in New York, and during the short time I had it, my New York State Bar license was never withdrawn, suspended or revoked, nor was I subject to or involved in any disciplinary proceedings.

- 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.

State Courts

South Dakota. Admitted January 19, 1998. Active.

New York State Bar. Admitted May 25, 2012. Voluntary Application to Resign
Granted February 9, 2015.

Federal District Courts

District of South Dakota. Admitted September 1998. Active.

Federal Circuit Courts

U.S. Court of Appeals for the Eighth Circuit. Admitted April 1998. Active.

U.S. Court of Appeals for the Tenth Circuit. Admitted May 2015. Active.

Other

United States Supreme Court. Admitted November 2003. Active.

No membership lapses.

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.

Fellow, American Academy of Appellate Lawyers (2017 – present)

Federal Practice Committee for the District of South Dakota (2014 – present)

Society for the Study of Midwestern Literature (2013 – present)

South Dakota Association of Criminal Defense Lawyers (2013 to March 2017)

Supreme Court Historical Society (2010 – present)

Federalist Society (2004 – present)

Husby Performing Arts Center Board of Directors, Washington Pavilion of Arts and Science (2004 (est.) – 2006 (est.)).

South Dakota Trial Lawyers Association (1998 – present), Chairman of Amicus Committee (2010 (est.) – 2017)

American Trial Lawyers Association (1998 (est.) – 2003 (est.))

Minnehaha Country Club (2020 – present)

Calvary Episcopal Cathedral (1982 – present)

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the organizations discriminate on the basis of race, sex, religion or natural origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

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

LAW RELATED

Dedication to Professor Emeritus David S. Day, 67 S.D. L. Rev. 1 (2022).
Copy supplied.

Dedication to Justice Steven L. Zinter, 65 S.D. L. Rev. 1 (2020).
Copy supplied.

“Thanks to the Heroes in Blue,” Rapid City Journal (May 17, 2018).
Copy supplied.

“Commencing an Action: South Dakota,” Practical Law (online content published on Westlaw by Thomson Reuters) (2017) (Co-author). Copy supplied.

“Drafting and Issuing Discovery Subpoenas: South Dakota,” Practical Law (online content published on Westlaw by Thomson Reuters) (2016) (Co-author).
Copy supplied.

“Responding to Discovery Subpoenas: South Dakota,” Practical Law (online content published on Westlaw by Thomson Reuters) (2016) (Co-author). Copy supplied.

“Appellate Practice in the South Dakota Supreme Court,” South Dakota Paralegal Association Reporter, Vol. 25, No. 3 (Summer 2014). Copy supplied.

Ex Parte Contacts Revisited, 58 S.D. L. Rev. 273 (2013) (Co-author). Copy supplied.

Appellate Practice Compendium (American Bar Association, Council of Appellate Lawyers 2012) (Author of South Dakota Chapter). Copy supplied.

Cattle on a Thousand Hills: Reflections on the Beef Checkoff Litigation, 57 S.D. L. Rev. 427 (2012). Copy supplied.

Appellate Practice in the South Dakota Supreme Court, 56 S.D. L. Rev. 1 (2011). Copy supplied.

Being There: Constructive Denial of Counsel at a Mental Competency Hearing as Structural Error under the Sixth Amendment, 56 S.D. L. Rev. 238 (2011). Copy supplied.

Should the Eighth Circuit Recognize Procedural Misjoinder?, 53 S.D. L. Rev. 52 (2008). Copy supplied.

Pierre Pressure: Legislative Elections, the State Constitution, and the Supreme Court of South Dakota, 50 S.D. L. Rev. 218 (2005). Copy supplied.

The Heart of the Matter: Substantive Due Process in the South Dakota Courts, 47 S.D. L. Rev. 185 (2002) (Co-author). Copy supplied.

Dedication to Chief Judge Roger L. Wollman, 46 S.D. L. Rev. 1 (2001) (Co-author). Copy supplied.

The Wrongful Death of Common Sense, 45 S.D. L. Rev. 283 (2000) (Co-author). Copy supplied.

That Which Governs: An Essay on the Nature of Law and Its Relation to Justice, 43 S.D. L. Rev. 172 (1998). Copy supplied.

NON-LAW RELATED

Author’s Blog published online on Goodreads.com (2013 – 2015). Copy supplied.

“Guest Post: Ron Parsons, author of The Sense of Touch,” published online at Carol’s Notebook (2014). Copy supplied.

“Ten Things You Didn’t Know About ‘The Sense of Touch’ Author Ron Parsons,” published online at Lori’s Reading Corner (2014). Copy supplied.

Introduction to “Big Blue” from “The Sense of Touch,” published online at Storyville (2014). Copy supplied.

The Sense of Touch (Aqueous Books 2013). A second edition of the same book was self-published in 2023. Copy supplied.

“The Black Hills,” The Briar Cliff Review, Vol. 21 (2009). Copy supplied.

“The Sense of Touch,” Indiana Review, Vol. 31, No. 1 (Summer 2009). Copy supplied.

“Big Blue,” The Gettysburg Review, Vol. 22, No. 3 (Autumn 2009). Copy supplied.

“Beginning with Minneapolis,” Flyway: A Journal of Writing and Environment, Vol. 11.2, 11.3, 12.1 (2008). Copy supplied.

“Hezekiah Number Three,” The Gettysburg Review, Vol. 21, No. 1 (Spring 2008). Copy supplied.

Essays from The Tempest. Sioux Falls, SD (1999). Copy supplied.

Poems and Stories published in Vermillion Literary Project (University of South Dakota 1995, 1996, 1997). Copy supplied.

Opinion columns and one cartoon from The Volante, University of South Dakota (1994 – 1997). Copy supplied.

“Coming on Down: One Man’s Recollections of Being a Contestant on The Price is Right,” The Onion, Vol. 24, No. 6 (September 21-27 1993). Copy supplied.

“Rock political world with a two-fer: Dole-Dole ticket,” Opinion Column, Sioux Falls Argus Leader, 1996. Copy supplied.

Cartoons syndicated and published in newspapers by King Features Syndicate as part of its daily cartoon feature “The New Breed.” (1993 – 1994 (est.)). Copy supplied.

Cartoons published in “Funny Pages,” Minneapolis, MN (1993). Copy supplied.

Cartoon published in “Unabashed Thoughts,” Vol. XIX, Lincoln Senior High School, Sioux Falls, SD (1985). 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.

I do not believe that I have ever prepared or contributed to the preparation of any such documents.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

On May 19, 2020, I testified before the President's Commission on Law Enforcement and the Administration of Justice, chaired by Phil Keith, on the topic of law enforcement in rural America.
Copy supplied.

In January of 2009, I served as co-counsel for Republican Representative Hal Wick in his election contest proceeding brought before the South Dakota House of Representatives. I did not speak or testify before the House, but I did author a brief that was submitted to its Members. Copy 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.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of personal files and searches of publicly available electronic databases. I frequently use the text of a speech from a prior event, speak without notes, or speak from a handwritten outline. I did not retain

the majority of the handwritten outlines and have attached all that I could find. Despite my searches, there may be other materials I have been unable to identify, find, or remember. When I was U.S. Attorney, I spoke publicly fairly frequently. I kept track of my public speaking appearances but did not take any records of those speeches with me when I left office. I have located the following:

PUBLIC SPEAKING AS U.S. ATTORNEY

November 21, 2019

Participated in Panel Discussion on South Dakota Public Broadcasting Television Show “South Dakota Focus.” Topic was Human Trafficking
Broadcast from SDPB studio on USD campus in Vermillion, SD
https://www.youtube.com/watch?v=Mn_TYhWyIGs

November 13, 2019

Made brief opening remarks at Law Enforcement Banquet on recent federal law enforcement efforts.
Ramkota Hotel and Convention Center, Sioux Falls, SD
Copy not available.

November 12, 2019

Made Opening Remarks at Law Enforcement Coordination Conference on Department of Justice law enforcement priorities.
Ramkota Hotel and Convention Center, Sioux Falls, SD
Copy not available.

October 29-30, 2019

Made opening and closing remarks, and appeared at a press conference, at Conference hosted by USAO/Avera/Hazeldon Betty Ford entitled “Hope and Healing: Many Faces of Addiction” on drug addiction, drug prosecutions, and treatment options.
Sioux Falls Convention Center, Sioux Falls, SD
Copy not available.

October 9, 2019

Gave opening remarks at BIA Reclaiming our Native Communities Roundtable on law enforcement coordination with Tribal governments and need for additional resources.
Rapid City, SD
Copy not available.

August 29, 2019

Native American Issues Subcommittee Meeting
Moderated Panel on Law Enforcement Resources about need for additional resources for and coordination with Tribal law enforcement.
Acoma Pueblo Sky City Cultural Center and Haak’u Museum

Pueblo of Acoma, New Mexico
Copy not available.

August 28, 2019
Offering Hope to Victims in the Spirit of Justice Conference.
Gave brief welcoming remarks and spoke on importance of resources for victims of crime.
Rushmore Holiday Inn
Rapid City, SD
Copy not available.

May 20, 2019
Addressed State-Tribal Meth Summit
Provided update on federal prosecutions and strategies.
Clubhouse Hotel & Suites, Pierre, SD
Copy not available.

May 7, 2019
FBI and USAO Community Awareness Program
Spoke on federal jurisdiction, federal crimes, and federal civil rights enforcement and answered questions from public.
University of Sioux Falls, Sioux Falls, SD
Copy not available.

April 23-24, 2019
Addressed Joint Sheriffs/Police Chiefs Conference
Spoke on drug prosecutions and availability of federal resources.
The Lodge at Deadwood, Deadwood, SD
Copy not available.

March 1, 2019
Spoke to Attorneys at Young Lawyers Boot Camp on “Creating and Preserving Your Record” for appellate practitioners.
Sioux Falls, SD
Copy not available.

February 26, 2019
Opening remarks for USAO/FBI Community Engagement Initiative “Best Practices for Physical Security” for protecting places of worship.
Mount Zion Temple, Sioux Falls, SD
Copy not available.

November 26, 2018
Provided opioid crisis update at public safety briefing,
Sioux Falls Police Station, Sioux Falls, SD
Press report available at: <https://www.keloland.com/news/opioid-crisis-update/>

Copy not available.

November 14, 2018

Moderated Panel Discussion on “Showcasing the Strength of Tribal Communities” at Rural and Tribal Elder Justice Summit
Des Moines Marriott Convention Center, Des Moines, IA
Copy not available.

November 7, 2018

Made brief opening remarks at Law Enforcement Banquet on appreciation for law enforcement officers.
Ramkota Hotel and Convention Center, Sioux Falls, SD
Copy not available.

November 6, 2018

Made Opening Remarks at Law Enforcement Coordination Conference on federal law enforcement priorities.
Ramkota Hotel and Convention Center, Sioux Falls, SD
Copy not available.

November 6, 2018

Made Opening Remarks at Re-entry Simulation Event on importance of providing support for those seeking to re-enter society following a prison sentence.
Ramkota Hotel and Convention Center, Sioux Falls, SD
Copy not available.

October 11, 2018

Retirement Ceremony of DCI Director Bryan Gortmaker
Paid tribute to Director Gortmaker.
George S. Mickelson Criminal Justice Center, Pierre, SD
Copy not available.

September 6, 2018

Made opening and closing remarks, appeared at a press conference, and moderated a panel at Conference hosted by USAO/Avera entitled “Addiction and Suicide: Communities in Crisis”
Sioux Falls Convention Center, Sioux Falls, SD
Copy not available.

August 28, 2018

Addressed public meeting of the Oglala Sioux Tribal Council on federal law enforcement efforts and answered questions from council members and public.
Government Center, Pine Ridge, SD
Copy not available.

August 22, 2018

Made closing remarks at 13th Annual Government-to-Government Violence Against Women Tribal Consultation on federal priorities of preventing and prosecuting such violence.

Sioux Falls Convention Center, Sioux Falls, SD

Copy not available.

August 13, 2018

Moderated Panel on Law Enforcement Resources

Native American Issues Subcommittee Meeting

River Spirit Casino & Resort, Tulsa, OK

Copy not available.

July 19, 2018

Made brief welcoming remarks at the Indian Country Victim Witness Conference – “Offering Hope to Victims in the Spirit of Justice”

North Dakota Heritage Center, Bismarck, SD ND?

Copy not available.

June 2018 (estimated)

Spoke on drug prosecutions and answered questions from council members and public attendees.

at Oglala Sioux Tribe Council Meeting.

Government Center, Pine Ridge, SD

Copy not available

May 21, 2018

Public Safety Briefing

Provided update on federal drug prosecutions and reporting of suspected drug crimes.

Sioux Falls Police Station, Sioux Falls, SD

Press Report available at <https://www.keloland.com/news/texting-to-fight-illegal-drugs/>

Copy not available.

May 1, 2018

Inauguration of Crow Creek Tribal Chairman Lester Thompson and new Council members

Congratulated President Thompson and new Council members.

Crow Creek High School, Highmore, SD

Copy not available.

April 26, 2018

Sexual Harassment in Housing Outreach

Spoke to group of community organizations about Department of Justice new federal initiatives and efforts to raise awareness of and combat problem of sexual harassment in housing.

USAO conference room, Sioux Falls, SD
Copy not available.

April 20, 2018

Spoke to students at Flandreau Indian School about South Dakota State Bar's Project Destination to encourage K-12 students, particularly those from Tribal communities, to consider the practice of law, explained and answered questions regarding the process of becoming an attorney and opportunities for those who earn a law degree.

Flandreau, SD
Copy not available.

April 18, 2018

Addressed Joint Sheriffs/Police Chiefs Conference
The Lodge at Deadwood, Deadwood, SD
Spoke about Department of Justice priorities
Copy not available.

April 16, 2018

Address on Opioid Crisis at Sioux Falls Police/Minnehaha County Sheriffs Public Briefing

SFPD, Sioux Falls, SD

<https://www.news-journalonline.com/videos/news/crime/2018/04/16/u-s-state-attorney-discusses-opioid-epidemic/521022002/>

<https://www.keloland.com/news/charges-filed-in-connection-with-south-dakota-mans-overdose-death/>

February 6, 2018

Criminal Jurisdiction in Indian Country Training

Flandreau, SD

Spoke to group of law enforcement participants in SLEC training about Department of Justice priorities.

Copy not available.

LAW-RELATED

October 10, 2024

Participated in a panel discussion for the University of South Dakota Knudson School of Law Chapter of the Federalist Society on the topic of the South Dakota Constitution.

Vermillion, SD

Copy not available.

January 5, 2017

Second Circuit Women in Law Luncheon

This group does not have a physical address. Its FaceBook page is:

<https://www.facebook.com/SecondCircuitWomenInLaw/>

Spoke on Appellate practice in South Dakota and cases in South Dakota Supreme Court and U.S. Court of Appeals for the Eighth Circuit.

Sioux Falls, SD

Copy not available.

July 14, 2016

South Dakota Paralegal Association Meeting

Spoke on Appellate practice and procedure in South Dakota

Sioux Falls, SD

Copy of notes supplied.

June 23, 2016

State Bar of South Dakota Annual Meeting

Gave S.D. Supreme Court Update – “Appellate Developments”

Sioux Falls, SD

Copy of outline supplied.

June 18, 2015

State Bar of South Dakota Annual Meeting

Gave S.D. Supreme Court Update – “Appellate Developments”

Rapid City, SD

Copy of outline supplied.

March 5, 2015

Women in Law Luncheon

Spoke on Appellate practice in South Dakota and cases in South Dakota Supreme Court and U.S. Court of Appeals for the Eighth Circuit

Sioux Falls, SD

Copy of notes supplied.

June 19, 2014

State Bar of South Dakota Annual Meeting

Gave S.D. Supreme Court Update – “Appellate Developments”

Sioux Falls, SD

Copy of outline supplied.

March 6, 2014

Second Circuit Women in Law Luncheon

Spoke on Appellate practice in South Dakota and interesting pending cases in South Dakota Supreme Court and U.S. Court of Appeals for the Eighth Circuit.

Sioux Falls, SD

Copy not available.

June 20, 2013

State Bar of South Dakota Annual Meeting

Gave S.D. Supreme Court Update – “Appellate Developments”
Pierre, South Dakota
Copy of outline supplied.

April 26, 2013
State Bar Association and Committee on Continuing Legal Education
“Nuts and Bolts” Seminar
“Handling Your First Supreme Court Appeal”
Co-presenter with Nicole Laughlin
Copy of outline supplied.

March 16, 2013
Oyate Sentinel, Honor, Thank, and Remember Our Supports Wacipi
Native American Council of Tribes
South Dakota State Penitentiary
1600 North Dr.
Sioux Falls, SD 57104
Provided an update on *Native American Council of Tribes v. Weber* appeal.
Copy not available.

August 9, 2012
“Rapid-fire 4 minute tips from appellate practice attorneys”
Eighth Circuit Judicial Conference
South Dakota’s member of discussion panel involving one appellate attorney from each Eighth Circuit state.
Kansas City, MO
Copy of program supplied. No notes available.

March 1, 2012
“Debating the Doctrine: Government Speech”
South Dakota Law Review Symposium
Member of the morning panel “*Johanns v. Livestock Marketing Ass’n* and the History of the Beef Checkoff,” discussing my participation in the case.
University of South Dakota School of Law
414 East Clark Street
Vermillion, SD 57069
Copy of program supplied. No notes available.

June 23, 2011
State Bar of South Dakota Annual Meeting
Gave S.D. Supreme Court Update – “Appellate Developments”
Sioux Falls, SD
Copy of outline supplied.

September 2009
South Dakota Law Review Annual Wine Review

230 S. Phillips Ave
Sioux Falls, SD 57104 (address of event)
Delivered the introduction at the presentation of the South Dakota Law Review's
2009 Distinguished Alumnus Award to the Hon. Roger L. Wollman, Circuit
Judge, United States Court of Appeals for the Eighth Circuit.
Copy not available.

June 18, 2009
State Bar of South Dakota Annual Meeting
S.D. Supreme Court Update – “Appellate Developments”
Sioux Falls, SD
Copy of outline supplied.

University of South Dakota School of Law Lectures (est. 1999 – 2017): Although
I do not have records of the specific dates, I have lectured several times before
law school classes at USD over the past twenty years.

From approximately 2013 to 2017, I spoke annually in the spring at the Legal
Writing and Advocacy classes taught by Professor Wendy Hess. Copies of some
handwritten notes that I have used for some of those lectures supplied.

I have also spoken at Professor David Day's First Amendment, Constitutional
Law, State Constitutional Law, and Civil Procedure classes over the years (est.
1999 – 2016). I do not believe that I used any notes for those guest lectures. The
topics of the lectures were cases in which I have been involved related to the First
Amendment, constitutional law, and civil litigation. Copy not available.

NON-LAW RELATED

January 31, 2016
A Winter's Tale: Dear Life
Augustana University Library
Sioux Falls, South Dakota
Reading from “Lord Grizzly” by Frederick Manfred and “A Visit with Fred
Manfred's Ghost – Blue Mounds, 1997” by Bill Holm
Copy not available.

July 11, 2015
Book Soup
Los Angeles, CA
Book reading and signing
Copy not available.

September 27, 2014
South Dakota Festival of Books
Sioux Falls, SD

Book reading, discussion, and Q & A
Copy not available.

September 18, 2013
“Soft Shadows: A Celebration of the Short Story”
Brooklyn Book Festival Bookend Event
Old Stone House, Park Slope, Brooklyn, NY
Reading from my book and panel discussion with other authors.
Copy not available.

July 26, 2013
Magers & Quinn Booksellers
Minneapolis, MN
Book reading and signing
Copy not available.

May 22, 2013
Zandbroz Variety
Sioux Falls, SD
Book reading and signing
Copy not available.

May 10, 2013
Society for the Study of Midwestern Literature
The Cultural Heritage of the Midwest: A Symposium
Michigan State University
Lansing, MI
Reading and discussion of my book.
Copy not available.

June 1985
Sioux Falls Arena
Sioux Falls, SD
Delivered Lincoln Senior High School commencement address.
Copy not available.

I spoke at several local book clubs from 2003 to 2015 about my book. I did not use notes for these appearances.

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

I have occasionally given interviews about law-related issues to local media outlets. I have also done some interviews in connection with the publication of my book.

I have done my best to identify all interviews given, including through a review of personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

LAW RELATED

June 1, 2024 (estimated)

Interview with South Dakota Searchlight Reporter John Hult on drug cartel presence in South Dakota.

Press report available at <https://southdakotasearchlight.com/2024/06/12/noems-banish-the-cartels-obscura-statewide-drug-problem-tribal-leaders-say/>

Copy not available

November 21, 2019

Interview with KELO on DOJ Plan to hire MMIP Coordinators

Press Report available at <https://www.keloland.com/keloland-com-original/parsons-on-the-doj-plan-to-hire-coordinators-for-missing-and-murdered-indigenous-people-cases/>

Copy not available

September 20, 2019

Press Conference on Project Safe Neighborhoods and Fugitive Operation

Public Safety Building

Rapid City, SD

Press Report available at https://rapidcityjournal.com/news/local/crime-and-courts/multi-agency-operation-fall-clean-up-arrests-67-wanted-for-violent-drug-and-sex-crimes/article_69d362d6-642a-5497-8768-cbd14e0d757f.html

Copy not available

September 27, 2019

Press Conference following Stanley Weber verdict

Federal Courthouse

Rapid City, SD

Copy not available.

September 27, 2019

Interview with Wall Street Journal Reporter Christopher Weaver following Stanley Weber verdict

Copy not available.

September 27, 2019

Interview with South Dakota Public Broadcasting Reporter following Stanley Weber verdict

<https://www.sdpb.org/news/2019-09-28/u-s-attorney-stanley-webers-pine-ridge-victims-deserved-justice>

September 6, 2018

Interview with South Dakota Public Broadcasting for Conference hosted by USAO/Avera entitled “Addiction and Suicide: Communities in Crisis”
Sioux Falls Convention Center, Sioux Falls, SD

Press report available at <https://www.sdpb.org/health/2018-09-06/communities-in-crisis-avera-health-and-department-of-justice-tackle-addiction-suicide>

August 28, 2018

Held Project Safe Neighborhoods Press Conference
USAO conference room, Rapid City, SD

Press report available at <https://www.keloland.com/news/project-safe-neighborhoods-task-force/>

August 9, 2018

Spoke at Press Conference for Project Stand Up for School Safety
Sioux Falls Convention Center, Sioux Falls, SD

Copy not available

February 2018 (estimated).

Press conference at Sisseton Council Meeting at Tribal Headquarters.
Addressed questions on methamphetamine and drug prosecutions.
Agency Village, SD
Copy not available.

March 17, 2017

“High Court Strikes Victory for Private Property Rights”
Interviewed by Sioux Falls Argus Leader regarding South Dakota Supreme Court’s decision in *Duerre v. Hepler*.
Copy supplied.

February 15, 2016

“Sioux Falls Attorney Remembers Justice Scalia”
Interviewed by KELO – Sioux Falls television station about Justice Scalia
Copy supplied.

2015 (est.)

Interviewed by KELO – Sioux Falls television station about federal preemption of pharmaceutical drug lawsuits.
Copy not available.

2006 (est.)

Interviewed at the University of Sioux Falls radio station about the *Davis v. State*,

a constitutional challenge to the school funding system.
Copy not available.

July 20, 2005

“Local Attorney Reacts to Roberts Nomination”

Interviewed by KELO – Sioux Falls television station about the Supreme Court nomination of John Roberts

Copy supplied.

December 6, 2004

Interviewed by Sioux Falls Argus Leader about the Beef checkoff case in the U.S. Supreme Court

Copy supplied.

NON-LAW RELATED

Interviewed by San Francisco Book Review about “The Sense of Touch”

October 3, 2014

<http://audibleauthors.podbean.com/e/ron-parsons/?token=81ef502d21efca510440a405ba85836d>

“A Conversation with Ron Parsons”

Prick of the Spindle, Vol. 8.2 June 2014

Copy supplied.

“Interview with Ron Parsons, author of The Sense of Touch”

Between the Covers, May 30, 2014

Copy supplied.

“Interview with Ron Parsons, Author of The Sense of Touch”

The Book Connection, May 15, 2014

Copy supplied.

“Interview with Ron Parsons Author of ‘The Sense of Touch.’

Seattle Post-Intelligencer, May 6, 2014

Copy supplied.

May 22, 2013

“KELOLAND Author/Attorney Gets Published”

Interviewed by KELO – Sioux Falls Television station about my book

Copy of story supplied.

May 21, 2013

“Fiction career 20 years in making”

Interviewed by Sioux Falls Argus Leader for “5 Questions” feature

Copy of article supplied.

January 27, 2013

“South Dakota: The Literature State?”

Sioux Falls Argus Leader There was both an article and a videotaped interview.

The video no longer appears to be available online.

Copy of article supplied

In addition, the press releases issued during my tenure as United States Attorney for the District of South Dakota are available at https://www.justice.gov/usao-sd/pr?search_api_fulltext=Ronald+Parsons&start_date=2018-01-01&end_date=2021-02-26&sort_by=field_date.

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

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

2017 – 2021	Appointed by President Donald Trump and confirmed by the United States Senate as the United States Attorney for the District of South Dakota.
2014 – 2017	Appointed by William J. Riley, Chief Judge of the U.S. Court of Appeals for the Eighth Circuit, to serve as South Dakota’s representative on the Eighth Circuit Federal Advisory Committee, established by Congress pursuant to 28 U.S.C. § 2077(b).
2014 – present	Appointed by Karen E. Schreier, Chief Judge, United States District Court, District of South Dakota, to serve on the Federal Practice Committee.
2016 – 2017	Appointed and sworn in by Minnehaha County State’s Attorney Aaron McGowan as Limited Deputy State’s Attorney for Minnehaha County, South Dakota.

I have not run for elective 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.

I have served on a very limited basis as an unpaid volunteer with no title or assigned responsibilities for the 2002 and 2004 Senatorial campaigns of U.S. Senator John Thune (S.D.). In 2002, I was on the Lawyers for Thune Committee, volunteered in the election-day headquarters, and participated in post-election meetings. In 2004, I volunteered in the election-day headquarters, participated in meetings regarding and attended court proceedings initiated by his opponent, and had contact with the Clerk of Courts for U.S. Court of Appeals for the Eighth Circuit to open lines of communication in the event they were needed.

My wife and I have also been among several co-hosts of a few fundraisers held for Senator Thune and for then-U.S. Representative Kristi Noem for their most recent federal campaigns in 2010 and 2016. I also served on the campaign committee for Matt McCaulley for the South Dakota House of Representatives called “McCaulley for State House” in 2000 and 2002. I was not compensated for these services.

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

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

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

I served as a law clerk to the Honorable Roger L. Wollman, United States Court of Appeals for the Eighth Circuit, 1997—1998.

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

I have not practiced alone.

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

August 1998 – January 2018

Johnson Janklow Abdallah Reiter & Parsons LLP

101 S. Main Ave, Suite 100

Sioux Falls, SD 57104

The name of the law firm has changed several times over the years as partners have joined and departed.

Equity Partner

August 2016 – September 2017

101 S. Main Ave, Suite 100

Sioux Falls, SD 57104

Appointed and sworn in as Limited Deputy State's Attorney for
Minnehaha County

January 2018 – February 2021
United States Attorney for the District of South Dakota
325 S 1st Ave #300
Sioux Falls, SD 57104

March 2021 – present
Johnson Janklow & Abdallah LLP
101 S. Main Ave, Suite 100
Sioux Falls, SD 57104
The name of the law firm has changed several times over the years as
partners have joined and departed.
Non-equity Partner

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

I have not served as a mediator or arbitrator.

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 1998, I served as a judicial law clerk, conducting legal research and writing and preparing draft opinions.

From 1998 to January 2018, I have been an attorney with the same civil litigation firm that typically has had approximately ten attorneys. After serving as a summer intern after my second year in law school, I began as an associate in the fall of 1998, preparing and arguing motions, writing briefs, taking depositions, doing appeals, and serving as second chair for jury trials and court trials. I became a non-equity partner in 2003. As my practice evolved and I began taking more of my own cases, I focused more on appellate law (both civil and criminal appeals), constitutional law, declaratory judgment actions, and legal writing. I continue to draft the briefs for and argue many of the substantial motions, particularly summary judgment motions, for the clients of our firm. I elected to become an equity partner of the firm on January 1, 2015.

From January 2018 to February 2021, I was the United States Attorney for the District of South Dakota. As U.S. Attorney, I was the chief federal law enforcement officer for a district comprising the entire State of South

Dakota, including nine Indian Reservations. The district serves almost 900,000 residents with 32 Assistant U.S. Attorneys and more than 60 employees located in three offices in Sioux Falls, Pierre, and Rapid City. During my term, I served on the Attorney General Advisory Committee's Terrorism and National Security, Native American Issues, and Elder Justice Subcommittees.

From March 2021 to the present, I have been an attorney with the same civil litigation firm with which I have practiced my entire career. I elected not to become an equity partner and have slowed my practice down somewhat, primarily handling civil appeals in the South Dakota Supreme Court and doing research, brief writing, and motions practice for various cases handled by the firm.

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

During my time at the law firm, I have represented plaintiffs, defendants, individuals, businesses, corporations, and governmental entities of all kinds in both federal and state courts. My specialties are appellate litigation, constitutional law, and legal analysis and writing.

When I served as the United States Attorney, my client was the United States.

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

- i. Indicate the percentage of your practice in:

- 1. federal courts: 30%
- 2. state courts of record; 65%
- 3. other courts; 0%
- 4. administrative agencies 5%

- ii. Indicate the percentage of your practice in:

- 1. civil proceedings; 90%
- 2. criminal proceedings. 10%

My entire practice has been in litigation. During my time at the law firm, I have appeared fairly frequently in court to argue motions at hearings before trial courts and to present appellate arguments. The majority of my time is spent researching and writing legal briefs. I occasionally participate as counsel for a party at a trial or administrative proceeding. When I was the United States Attorney, in terms of litigation practice, I handled several oral arguments before the U.S. Court of Appeals for the Eighth Circuit, wrote a few briefs to the district

court and appellate courts, and represented the United States at several mediations of civil cases before the United States federal magistrate judges.

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

I have tried approximately fifteen cases to verdict or judgment in federal district court, state circuit court, or state administrative proceedings. Seven of those cases were jury trials, six were court trials, and two were state administrative proceedings. In two of those cases I was sole counsel, in seven co-counsel, and in six associate counsel.

In addition, I have argued approximately twenty-eight appeals in federal appellate courts, fifty-seven appeals in the South Dakota Supreme Court, and one in another state court of appeals.

- i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. Jury: | 46% |
| 2. non-jury: | 54% |

- 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 had one case in the United States Supreme Court: *Johanns v. Livestock Marketing Ass'n*, 544 U.S. 550 (2005). I tried the case with one of my partners, authored the appellee brief on appeal to the Eighth Circuit, authored the brief in opposition to the certiorari petition filed by the United States, assisted in the merits briefing before the Supreme Court, and sat at counsel's table for oral argument before the Supreme Court. Copy supplied.

In October 2017, I was one of the attorneys for the State of South Dakota that filed a petition for certiorari to the United States Supreme Court in *South Dakota v. Wayfair, Inc.*, 585 U.S. 162 (2018). I was not primarily responsible for drafting the petition, but provide some input. I withdrew from the case following my confirmation as United States Attorney two months later. The petition was granted after I became United States Attorney. Copy supplied.

In addition, I have filed two amicus briefs in the United States Supreme Court in connection with the litigation *Brohl v. Direct Marketing Association*, 575 U.S. 1 (2015). The first brief was filed on behalf of the National Governors Association, National Conference of State Legislatures, Council of State Governments, National League of Cities, United States Conference of Mayors, National

Association of Counties, International City/County Management Association, and Government Finance Officers Association in support of the Respondent, Barbara Brohl, Executive Director of the Colorado Department of Revenue. I was the author of that brief. The second brief was filed on behalf of the same clients in opposition to the petition for certiorari filed by the Petitioner Direct Marketing Association from the Tenth Circuit's decision following remand. I drafted the initial version of that brief, but it was revised and expanded substantially by others following my first draft. Copies supplied.

I have also drafted and filed several petitions for certiorari in the United States Supreme Court in my role as court-appointed counsel for criminal defendants. None of those petitions were granted. Those cases are:

Johnson v. Young, 779 F.3d 495 (8th Cir. 2015), *cert. denied*, 577 U.S. 898 (2015). Copy supplied.

State v. Diaz, 847 N.W.2d 144 (S.D. 2014), *cert. denied*, 574 U.S. 1029 (2014). I did not author this petition. Rather, I reviewed and filed it as a professional courtesy for another attorney who was not yet a member of the Supreme Court Bar and was running up against a pending deadline for filing. Copy supplied.

United States v. Wanna, 744 F.3d 584 (8th Cir. 2014), *cert. denied*, 574 U.S. 851 (2014). Copy supplied.

United States v. Grimes, 702 F.3d 460 (8th Cir. 2012), *cert. denied*, 570 U.S. 911 (2013). Copy supplied.

Owen v. Weber, 646 F.3d 1105 (8th Cir. 2011), *cert denied*, 565 U.S. 1126 (2012). Copy supplied.

Tinajero-Ortiz v. United States, 635 F.3d 1100 (8th Cir. 2011), *cert. denied*, 565 U.S. 909 (2011). Copy supplied.

United States v. Finley, 612 F.3d 998 (8th Cir. 2010), *cert. denied*, 562 U.S. 1020 (2010). Copy supplied.

Raymond v. Weber, 552 F.3d 680 (8th Cir. 2009), *cert. denied*, 558 U.S. 846 (2009). Copy not available.

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

- a. the date of representation;
 - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
 - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
1. Duerre v. Hepler
Day County Circuit Court, Civ. No. 14-43
Jon S. Flemmer, Circuit Judge
893 N.W.2d 209 (S.D. 2017)
South Dakota Supreme Court
Chief Justice David Gilbertson, Associate Justices Steven L. Zinter, Glen A. Severson, Lori S. Wilbur, Janine M. Kern
2014 – 2017

Along with co-counsel, I represented group of small farmers and landowners in a declaratory judgment action to enforce their constitutional private property rights to exclude general public from entering their private flooded farmland for purposes of hunting, fishing, and setting up ice fishing shacks during the winter and to prohibit the South Dakota Department of Game Fish and Parks (GFP) from facilitating access to those waters on private flooded land. We contended that the Executive Department, through the GFP, was violating the separation of powers established by the South Dakota Constitution because only the Legislature could authorize such access.

I authored the complaint, conducted all of the discovery, filed a motion for certification of a defendant class, successfully briefed and argued the class certification motion before the circuit court, filed a motion for summary judgment, and successfully briefed and argued the summary judgment motion before the circuit court.

After we prevailed at the circuit court, the state defendants appealed. I authored the appellee brief and successfully argued the case before the South Dakota Supreme Court. The Supreme Court substantially affirmed the injunction, resulting in a favorable decision for our clients. Subsequently, the Governor of South Dakota called a special session of the South Dakota Legislature, which then enacted substantial legislative protections for private property rights of owners of private flooded lands. The Governor signed the bill on June 12, 2017.

Co-counsel:
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Zachary W. Peterson
Richardson Wyly Wise Sauck & Hieb LLP
1 Court Street
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(605) 225-6310

Principal counsel for opposing party:

Marty J. Jackley
South Dakota Attorney General
Ann F. Mines Bailey
Assistant Attorney General
1302 E. Highway 14, Suite 1
Pierre, SD 57501-8501
(605) 773-3215

2. Native American Council of Tribes v. Weber
2011 WL 4382271 (D.S.D. 2011)
897 F.Supp.2d 828 (D.S.D. 2012)
2013 WL 310633 (D.S.D. 2013)
2013 WL 3923451 (D.S.D. 2013)
United States District Court, District of South Dakota
Karen E. Schreier, Chief Judge
750 F.3d 742 (8th Cir. 2014)
United States Court of Appeals for the Eighth Circuit
Judges Lavenski Smith, Kermit Bye, Myron Bright
2011 – 2014

Chief Judge Schreier appointed one of my law partners and me to represent a group of Native American inmates at the South Dakota State Penitentiary in an action brought under the Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. § 2000cc-1(a), to enforce their federal religious freedom rights to participate in traditional Lakota religious ceremonies involving tobacco.

Along with co-counsel, I successfully tried the case before the United States District Court. After the district court found in favor of our clients and granted injunctive relief, the state appealed to the Eighth Circuit. I authored the appellee brief and successfully argued the case before the Eighth Circuit, which affirmed the district court's decision in its entirety.

Co-counsel:

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Reiter Law Firm, PLLC
5032 S Bur Oak Place #205
Sioux Falls, SD 57108
(605) 705-2900

Principal counsel for opposing party:

James E. Moore
Woods Fuller Shultz & Smith, P.C.
300 S. Phillips Avenue
Sioux Falls, SD 57104

(605) 336-3890

Principal counsel for United States as amicus supporting the plaintiffs:

April J. Anderson

Legislative Attorney at Congressional Research Service

101 Independence Ave S.E., Washington, D.C. 20540

(202) 707-5700

3. Engesser v. Young

856 N.W.2d 471 (S.D. 2014)

South Dakota Supreme Court

Chief Justice David Gilbertson, Associate Justices John Konenkamp, Steven L. Zinter, Glen A. Severson, and Lori S. Wilbur

2012 – 2014

Along with co-counsel, I was court-appointed to represent Oakley Engesser, a man convicted in South Dakota state court of vehicular homicide and vehicular battery and sentenced to 25 years in prison. Initially, I was appointed by the United States Court of Appeals for the Eighth Circuit to assist the petitioner on an appeal by the United States from the federal district court's grant of his petition for federal habeas relief. I authored the appellee brief and attended the oral argument before the Eighth Circuit, which reversed the grant of relief on procedural grounds. *See Engesser v. Dooley*, 686 F.3d 928 (8th Cir. 2012).

Along with co-counsel, I was then court-appointed to represent the same petitioner in a state habeas action brought under a new state statute. After the state circuit court granted our petition, holding that our client was actually innocent and had been wrongfully convicted, the state appealed. I authored the appellee brief and successfully argued the case before the South Dakota Supreme Court, which held that our client was "actually innocent," resulting in the vacating of his conviction and his release from prison after serving more than ten years. This was the first South Dakota Supreme Court decision to recognize "actual innocence" as an independent basis for habeas relief under state law.

Co-counsel:

Michael J. Butler

Butler Law Office

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(605) 331-4774

Delia S. Druley

Evans Haigh & Arndt LLP

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225 E. 11th Street, Suite 201

Sioux Falls, SD 57101-2790

(605) 275-9599

Principal counsel for opposing party:

Marty J. Jackley
South Dakota Attorney General
Paul S. Swedlund
Assistant Attorney General
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4. In re Noem
 3 N.W.3d 465 (S.D. 2024)
 South Dakota Supreme Court
 Chief Justice Steven R. Jenson and Associate Justices Janine M. Kern, Mark E.
 Salter, Patricia J. DeVaney, and Scott P. Myren
 2023-2024

I was hired by the South Dakota Legislature to represent its interest on a question certified by South Dakota Governor Kristi Noem to the South Dakota Supreme Court involving the scope of the Contracts Clause of Article III, Section 12 of the South Dakota Constitution. I filed a brief on behalf of the South Dakota Legislature and presented argument on its behalf at oral argument before the Supreme Court. In a written opinion answering the Governor's question, the Supreme Court largely adopted the interpretation of Article III, Section 12 advocated by the Legislature.

Principal counsel for other party:

Marty J. Jackley
South Dakota Attorney General
1302 E. Highway 14, Suite 1
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5. Daily v. City of Sioux Falls
 802 N.W.2d 905 (S.D. 2011)
 South Dakota Supreme Court
 Chief Justice David Gilbertson and Associate Justices John Konenkamp, Steven
 L. Zinter, Judith Meierhenry, Glen A. Severson
 2010 – 2011

I accepted this case on a *pro bono* basis and successfully briefed and argued this appeal before the South Dakota Supreme Court in which it held that the administrative appeals process enacted by the City of Sioux Falls violated the procedural due process rights of its citizens under the United States and South Dakota Constitutions by reversing the burden of proof to require anyone who challenged a citation for violating an

ordinance to demonstrate his or her innocence of the charge. Following this decision, the City of Sioux Falls substantially revised its administrative appeals process to comply with due process requirements by placing the burden of proof on the City to prove a violation.

Co-counsel:

Charles Dorothy
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600 Tan Tara Circle
Sioux Falls, SD 57108
(605) 335-5740

Principal counsel for opposing party:

William C. Garry
Cadwell Sanford Deibert & Garry LLP
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6. Bird Hotel Corp. v. Super 8 Motels, Inc.
2007 WL 404703 (D.S.D. 2007)
245 F.R.D. 644 (D.S.D. 2007)
246 F.R.D. 603 (D.S.D. 2007)
2010 WL 572741 (D.S.D. 2010)
United States District Court, District of South Dakota
Hon. Lawrence L. Piersol
2006 – 2011

Our firm brought this action in federal district court on behalf of a class of Super 8 franchisees located in the United States and Canada contending that Super 8 Motels, Inc. was violating its standard franchise agreement by increasing franchise fees and charging additional fees beyond those permitted by the agreement. I handled all of the class certification proceedings, including the briefing and argument, and successfully persuaded the district court to certify an international class of plaintiffs. After additional discovery, both sides then filed motions for summary judgment. I authored the summary judgment briefs and presented the argument to the district court which denied the defendant's motion and granted our motion, holding that Super 8 Motels, Inc. had breached its standard contract with its franchisees. Following the district court's decision, a settlement with the defendant was reached. I handled all of the proceedings in federal district court to obtain approval of the settlement.

Co-counsel:

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Scott N. Heidepriem
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Principal counsel for opposing party:

Melissa Hinton
400 S. Phillips Ave
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(605) 330-6600

7. Oglala Sioux Tribe v. C & W Enterprises, Inc.
487 F.3d 1129 (8th Cir. 2007)
United States Court of Appeals for the Eighth Circuit
Judges Roger L. Wollman, John R. Gibson, and Diana E. Murphy
516 F.Supp.2d 1039 (D.S.D. 2007)
516 F.Supp.2d 1044 (D.S.D. 2007)
United States District Court, District of South Dakota
Karen E. Schreier, Chief Judge
542 F.3d 224 (8th Cir. 2008)
United States Court of Appeals for the Eighth Circuit
Judges Lavenski Smith, Raymond Gruender, James M. Rosenbaum
2006 – 2009

This was a multi-tiered, multi-jurisdictional litigation between our client, an Indian-owned construction business, and the Oglala Sioux Tribe (OST), which hired our client to complete four construction projects. At various stages, the litigation was venued in the Oglala Sioux Tribal Court and Supreme Court, South Dakota Circuit Court, United States District Court, and the United States Court of Appeals for the Eighth Circuit, in addition to being the subject of an arbitration conducted by the American Arbitration Association. Our client contended that the OST had breached the contracts.

My role consisted solely in successfully briefing and arguing two different appeals to the Eighth Circuit. In the first appeal, the Eighth Circuit affirmed the federal district court's holding that it lacked jurisdiction over the Tribe's complaint seeking to enjoin the contractor from pursuing arbitration because its claims were not based on federal law. In the second appeal, the Eighth Circuit reversed the district court's entry of an injunction preventing the contractor from confirming the arbitration award in state circuit court, holding that by contracting to accept the American Arbitration Association's rules, the Tribe was required to abide by those rules authorizing confirmation of the award in the jurisdiction in which the arbitration occurred. After we prevailed in both appeals, the dispute was settled by the parties.

Co-counsel:

A. Russell Janklow
Johnson Janklow & Abdallah LLP
101 S. Main Avenue, Suite 100
Sioux Falls, SD 57104
(605) 338-4304

Principal counsel for opposing party:

Brett Lee Shelton
Native American Rights Fund
1506 Broadway
Boulder, CO 80302-6296
(303) 447-8760

8. Johanns v. Livestock Marketing Association
132 F.Supp.2d 817 (D.S.D. 2001)
United States District Court, District of South Dakota
Charles B. Kornmann, United States District Judge
335 F.3d 711 (8th Cir. 2003)
United States Court of Appeals for the Eighth Circuit
Judge Theodore McMillian, Chief Judge James B. Loken, Judge George G. Fagg
544 U.S. 550 (2005)
United States Supreme Court
Chief Justice William H. Rehnquist, Associate Justices John Paul Stevens, Sandra Day O'Connor, Antonin Scalia, Anthony Kennedy, David H. Souter, Clarence Thomas, Ruth Bader Ginsburg, Stephen G. Breyer
2001 – 2005

I represented the plaintiffs in this federal action brought in United States District Court, District of South Dakota, by the Livestock Marketing Association and a group of South Dakota and Montana cattle ranchers seeking declaratory and injunctive relief that the mandatory assessments on all cattle sales established by the Beef Promotion and Research Act, 7 U.S.C. 2901 (“beef checkoff”) overseen by the United States Department of Agriculture violated the First Amendment rights of the cattle producers required to fund the program by compelling them to subsidize speech with which they disagreed. Our clients, United States beef producers, wanted to promote only U.S. beef and objected to the advertising funded in part by imported beef producers promoting it as a generic commodity.

I assisted in the drafting of the initial and amended pleadings, handled much of the discovery in the litigation, authored the summary judgment briefs, tried the case with one of my law partners, and presented the plaintiffs’ closing argument to the district court. The district court held that the “beef checkoff” program was unconstitutional and granted a nationwide injunction prohibiting the USDA from collecting the mandatory assessments on cattle sales.

After we prevailed at the district court level, the United States appealed to the U.S. Court of Appeals for the Eighth Circuit. I authored the appellee brief before the Eighth Circuit and was present at counsel's table for the oral argument.

After we prevailed at the Eighth Circuit, the United States filed a petition for certiorari in the United States Supreme Court. I authored the brief in opposition to the petition. After the petition was granted, I assisted in writing the brief for respondents, although it was primarily authored by our co-counsel. I also was present at counsel's table for the argument before the Supreme Court. The Supreme Court reversed and held that the "beef checkoff" program was government speech immune from First Amendment scrutiny.

Co-Counsel:

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Ori Lev (Trial)
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Principal Counsel for the Intervenor:
Gregory G. Garre (Supreme Court Appeal)
Latham & Watkins LLP
555 Eleventh Street NW, Suite 1000
Washington, DC 20004-1304
(202) 637-2207

John G. Roberts, Jr. (now Chief Justice Roberts) (Eighth Circuit Appeal)
United States Supreme Court
1 First Street NE
Washington, DC 20543
(202) 479-3000

Gregory T. Brewers (Trial)
Strange Farrell Johnson & Brewers, P.C.
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9. Luverne Fire v. City of Cincinnati
Civ. No. 02-4036
United States District Court, District of South Dakota
Chief Judge Karen E. Schreier
2002 – 2005

Our firm represented Luverne Fire Apparatus, a local South Dakota company that manufactures fire trucks and sold four fire trucks to the City of Cincinnati. We also represented Hartford Casualty Insurance Company, Luverne Fire's surety company. On behalf of the company, we filed a federal lawsuit against the City of Cincinnati, which had rejected the fire trucks and refused to pay for them. I handled most of the discovery in the case, flew to Cincinnati to depose the principal witnesses, authored the briefs on behalf of our client for the parties' opposing summary judgment motions, and tried the case to a federal jury along with one of my law partners. The jury returned a verdict in

favor of our client.

Co-counsel:

Robert J. Jonker, Chief Judge
United States District Court, Western District of Michigan
685 Federal Building
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A. Russell Janklow
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Principal counsel for opposing party:

Timothy R. Shattuck
Woods Fuller Shultz & Smith, PC
300 S. Phillips Avenue
Sioux Falls, SD 57104
(605) 336-3890

10. United States v. Totaro
345 F.3d 989 (8th Cir. 2003)
United States Court of Appeals for the Eighth Circuit
Judges Pasco Bowman, Diana E. Murphy, Kermit Bye
2002 – 2003

In this case, our firm represented the innocent wife of a criminal defendant convicted of mail fraud, wire fraud, money laundering, unlawful money transactions, and racketeering under the Racketeer Influenced and Corrupt Organizations Act (RICO) in an ancillary action claiming legal rights in a country estate held by the district court to be subject to complete forfeiture under RICO.

My sole role in this litigation was in authoring the appellate briefs and successfully arguing the appeal in which the United States Court of Appeals for the Eighth Circuit reversed the district court's forfeiture order, holding in a case of first impression that the innocent spouse had a substantial property interest in the home and property and remanding for a factual determination of her interest using New York divorce law.

Co-counsel:

Matthew T. Tobin
South Dakota Trust Company, LLC
201 S. Phillips Avenue, Suite 235
Sioux Falls, SD 57104-6317

(605) 271-5034

Principal counsel for opposing party:

Michael E. Ridgeway
U.S. Bankruptcy Judge, District of Minnesota
7W Diana E. Murphy United States Courthouse
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Minneapolis, MN 55415
(612) 664-5260

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

I have substantial experience in the civil arena. I estimate that I have been involved at various stages in several hundred cases litigated in the state and federal courts of South Dakota. I have prevailed in the South Dakota Supreme Court in an action seeking to enforce the private property rights of farmers and landowners, arguing that the State Games Fish and Parks Department was violating the separation of powers by facilitating access to member of the general public to waters located on private flooded land for the purpose of hunting and fishing. I successfully argued to the South Dakota Supreme Court that the administrative appeals process enacted by the City of Sioux Falls violated the due process rights of its citizens by reversing the burden of proof. In 2005, I appeared at counsel's table at the United States Supreme Court in a federal action involving the constitutionality of federal statute. *See Johanns v. Livestock Marketing Ass'n*, 544 U.S. 550 (2005) (authored by Justice Scalia). I was privileged to meet Chief Justice Roberts at the Eighth Circuit argument in that case, in which he represented the intervenors, and I believe it was one of his last appellate arguments before being sworn in as a Circuit Judge of the United States Court of Appeals for the D.C. Circuit. More than ten years later, I was able to speak with the Chief Justice about it briefly at the Eighth Circuit Judicial Conference in Arkansas.

In an interesting First Amendment case, I defended a website against a federal defamation action brought by actress Jane Fonda and former Senator Jim Abourezk arising out of the website's inclusion of them on its "Traitor List," resulting in a settlement of their claims for one dollar. *Abourezk v. ProBush.com*, No. 4:03-CV-04146 (D.S.D. 2004). In addition, for approximately five years I served as local counsel helping to defend American Broadcasting Companies, Inc., ABC News, Inc. and journalists Jim Avila and Diane Sawyer against defamation and agricultural products disparagement claims brought by Beef Products, Inc. in the South Dakota courts. The case settled midway through a scheduled eight-week trial.

In my appellate practice, I have handled more than one hundred appeals. Specifically, my work for clients has resulted in at least 35 reversals in their favor, including seven new trials. Before becoming U.S. Attorney in 2018, I agreed to take appointments for federal criminal appeals when called by the Eighth Circuit clerk to do so and occasionally have also done state criminal appeals. It allowed me to acquire experience in a variety of aspects of criminal prosecutions and I have litigated several issues involving the Fourth, Fifth, Sixth, and Eighth Amendments, as well as a number of federal criminal statutes and the United States Sentencing Guidelines.

With the approval of the Governor's Office, I served as co-counsel with the South Dakota Attorney General's Office representing the State of South Dakota in an appeal to the South Dakota Supreme Court in a declaratory judgment action involving the dormant commerce clause. Although I withdrew from the case upon becoming U.S. Attorney in 2018, the case was eventually heard by the U.S. Supreme Court and resulted in the overruling of *Quill v. North Dakota*. See *South Dakota v. Wayfair*, 585 U.S. 162 (2018) (holding that out-of-state seller's physical presence in taxing state is not necessary for state to require seller to collect and remit its sales tax). In addition, I have represented the National Governors Association and several other governmental organizations in authoring two amicus briefs for those entities in the United States Supreme Court.

Before becoming U.S. Attorney, I was able to form good relationships during interaction with Tribal officials over the years. For several years, I have represented the Flandreau Santee Sioux Tribe in a series of federal declaratory judgment actions regarding taxation and have a very good working relationship with their leadership and their Attorney General. I was court-appointed to represent a group of Lakota prisoners in a federal RLUIPA action involving their religious freedom, and was honored with a Star Quilt following the Eighth Circuit's decision upholding their religious rights. In addition, I have argued an election contest in a tribal appellate court for the presidency of the Flandreau Santee Sioux Tribe. And I have been involved in several federal cases, both civil and criminal, involving tribal jurisdiction.

During my term as U.S. Attorney, the work of the office was focused on doing everything possible to help keep tribal communities in South Dakota safe, prosecuting drug offenses, including the emerging problem of opioid abuse and fentanyl during that time, prosecuting violent crime, and upholding civil rights laws. During my term, I served on the Attorney General Advisory Committee's Terrorism and National Security, Native American Issues, and Elder Justice Subcommittees.

Since returning to private practice at my old law firm following the end of my tenure as U.S. Attorney, I have focused primarily on appeals in the South Dakota Supreme Court, legal research, brief writing, and motion practice in state and federal civil litigation.

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

None since graduation from law school, although I have guest lectured at the law school many times over the years. While attending the University of Minnesota, I taught courses for poetry, floor hockey, and whiffle ball for Project Enhance – Community Education for Adults with Disabilities, as an employee of Minneapolis Community Education during the years 1992-1994. To my recollection, none of the classes had a syllabus.

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

None.

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

No.

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

See my SF-278 as provided by the Office of Government Ethics.

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

See attached net worth statement.

22. **Potential Conflicts of Interest:**

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be

resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official.

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

In the event of a potential conflict of interest, I will consult with the ethics officials in the Executive Office for United States Attorneys, Department of Justice

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

Our firm has been committed to providing pro bono work to the disadvantaged over the years and I have participated in many cases and performed other legal work for those who could not afford to pay, doing everything from reviewing simple agreements, handling simple criminal or municipal charges, amending birth certificates, and assisting people in dealing with governmental agencies. The amount of time that I have dedicated to pro bono legal work has varied greatly from year to year. I do not have detailed records regarding these services. In particular, I have briefed and argued several appeals over the years for people who could not afford an attorney. Several of those pro bono appeals have resulted in published decisions by the South Dakota Supreme Court. A few examples include representing a retired military combat veteran in his claim that the administrative appeals process enacted by the City of Sioux Falls violated his procedural due process rights, representing a young Native American woman seeking to preserve the circuit court's expungement of her record, and representing a family in an action brought against them to enforce a city ordinance regulating the number and weight of their dogs. In addition, I was named the Sioux Falls Area Humane Society "Friend of the Year" for my pro bono representation of its interests in a trial involving the fate of dozens of mistreated puppies seized from a rural puppy mill.

AFFIDAVIT

I, Ronald A. Parsons Jr., do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

5/9/2025

(DATE)

RAPARSONS

(NAME)

JH

(NOTARY)

My Comm. Expires: 7/25/27

