

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Evan Rikhye

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

United States District Judge, District of the Virgin Islands

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.

Office: Walmart Global Governance  
811 Excellence Drive  
Bentonville, Arkansas 72712

Residence: Fayetteville, Arkansas.

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

1971; Boston, Massachusetts.

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.

1997 – 2001, American University, Washington College of Law; J.D., 2001

1989 – 1993, American University, School of International Service; B.A., 1993

1991, Syracuse University Study Abroad Program, Strasbourg, France; No degree conferred

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.

2024 – present  
Walmart Global Governance  
811 Excellence Drive  
Bentonville, AR 72712  
Senior Counsel

2021 – 2024  
United States Attorney's Office for the District of the Virgin Islands  
1108 King Street  
Christiansted, VI 00820  
Assistant United States Attorney and Senior Litigation Counsel

2011 – 2021  
United States Attorney's Office for the Eastern District of North Carolina  
150 Fayetteville Street  
Raleigh, NC 27501  
Assistant United States Attorney

2018 – 2019 (Detail Assignment)  
United States Department of Justice – Office of Overseas Prosecutorial Development Assistance  
and Training  
US Embassy to the Republic of Indonesia  
Jalan Medan Mederka – Salatan No, 3-5  
Jakarta, Indonesia  
Resident Legal Advisor

2017 (Detail Assignment)  
United States Department of Justice – Office of Overseas Prosecutorial Development Assistance  
and Training  
US Embassy to the Republic of Niger  
Rue de Ambassades  
BP-1201 Niamey, Niger  
Resident Legal Advisor

2008 – 2011  
United States Attorney's Office for the District of the Virgin Islands  
1108 King Street  
Christiansted, VI 00820  
Assistant United States Attorney

2006 – 2008  
DOJ Civil Rights Division – Criminal Section  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Trial Attorney

2006 (Detail Assignment)  
United States Attorney's Office for the Eastern District of Virginia  
2100 Jamieson Avenue  
Alexandria, VA 22314  
Special Assistant United States Attorney

2004 – 2006  
United States Department of Justice, Office of Legal Policy  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Attorney Advisor

2003 – 2004  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20004  
Counsel and Executive Assistant to FEC Chairman Bradley Smith

1997 – 2003  
BGR Group  
601 13<sup>th</sup> Street, NW  
Washington, DC 20005  
Compliance Counsel (2001 – 2003)  
Law Clerk (1997 – 2001)

1995 – 1997  
Office of Senator John H. Chafee  
Dirksen Senate Office Building  
Washington, DC 20500  
Legislative Correspondent

1993 – 1995  
Republican National Committee  
310 First Street, SE  
Washington, DC 20003  
Political Researcher

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 did not serve in the US military. I registered for the selective service upon turning 18.

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

United States Attorney's Office Special Act or Service Award (2022)

Attorney General's Award for Outstanding Overall Partnership/Task Force (PSN) (2020)

ODNI National Intelligence Meritorious Unit Citation (2018)

DEA-HIDTA Task Force (Caribbean Division) – Certificate of Appreciation (2010)

Certificate of Achievement for SAUSA Service in the Eastern District of Virginia (2006)

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.

None

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.

Maryland, 2001

There has been no lapse in membership.

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

United States Court of Appeals for the Fourth Circuit, 2019

United States Court of Appeals for the Fifth Circuit, 2006

United States District Court for the District of the Virgin Islands, 2008

United States District Court for the Eastern District of North Carolina, 2011

United States District Court for the Eastern District of Virginia, 2006

There have been no lapses in memberships.

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.

Federalist Society for Law and Public Policy Studies (2003 – 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.

I have never been a member of any organization that practices discrimination on the basis of race, color, religion, gender, sexual orientation, or national origin.

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 copies of all published material to the Committee.

With Reid Alan Cox, Tammi Kannar, and Allyson Newton, *Filibusters and the Constitution*, The Federalist Society for Law and Public Policy Studies. Copy supplied.

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

None

c. Supply 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.

Letter to Sens. Charles Grassley and Richard Durbin from current and former Department of Justice prosecutors in support of David Bragdon nomination (September 8, 2025).  
Copy supplied.

d. Supply 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.

Between 2017 – 2019, I gave numerous trainings for prosecutors, judges, and law enforcement as part of my job with DOJ Office of Overseas Development, Assistance, and Training. The topics included financial crime, trafficking in persons, counterterrorism, asset forfeiture, and digital forensics. I have no notes, transcripts, or recordings of these training sessions. These trainings occurred in Niger (2017) and Indonesia (2018 – 2019), typically at conferences held at hotels or our host nation partner’s government ministry offices.

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 copies of the clips or transcripts of these interviews where they are available to you.

Press release, *Armed Career Criminal Sentenced to 25 Years in Federal Prison*, State News Service, October 14, 2014. Copy supplied.

Doris N. Truong, *Island crab racing: The crawl of the wild*, The Washington Post, October 25, 2009. Copy supplied.

Press release, *Committee for Justice Nomination of Estrada Court of Appeals*, PR Newswire, September 25, 2002. Copy supplied.

Press release, *Committee for Justice Senate Judiciary 10<sup>th</sup> Circuit Court*, PR Newswire, September 16, 2002. 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.

I have not held judicial office.

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

i. Of these cases, approximately what percent were:

jury trials: \_\_\_%

bench trials: \_\_\_%

ii. Of these cases, approximately what percent were:

civil proceedings: \_\_\_%

criminal proceedings: \_\_\_%

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

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of 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 (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

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.

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

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.

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.

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.

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.

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:

I have not held judicial office.

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 public 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.

From 1993 until 1996, I worked for the Republican National Committee (RNC) as a political researcher/analyst in the Opposition Research department.

In 1992, I served as a volunteer on the Bush/Quayle Campaign.

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

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

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

I have never served as a clerk to a Judge.

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

I have never been engaged in the solo practice of law.

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;

2024 – Present  
Walmart Global Governance  
811 Excellence Drive  
Bentonville, AR 72701  
Senior Counsel, Legal Investigations

2004 – 2024  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Attorney Advisor (2004 – 2006)  
Trial Attorney (2006 – 2008)  
Assistant U.S. Attorney (2008 – 2017; 2019 – 2024)

Resident Legal Advisor (2017 – 2019)

2003 – 2004  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20004  
Counsel

1997 – 2003  
BGR Group  
601 13<sup>th</sup> Street, NW  
Washington, DC 20005  
Law clerk and Compliance Counsel

- 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 2024 to the present, I have been serving as a Senior Counsel on the Walmart Global Governance Legal Investigations (LI) team. In this role, I manage internal investigations in Walmart's U.S. and international markets related to government inquiries and alleged violations of the Company's Code of Conduct, including corruption/bribery (FCPA), fraud, financial integrity, conflicts of interest, discrimination/harassment, and other sensitive matters.

From 2004 until joining Walmart Global Governance in 2024, I served in the United States Department of Justice in a variety of capacities. However, the bulk of my DOJ career was devoted to the investigation and prosecution of criminal matters as a Trial Attorney, Special Assistant United States Attorney, and Assistant United States Attorney. As a federal prosecutor, I handled a wide array of criminal matters, including complex white-collar fraud and corruption matters, violent crimes, firearms and narcotics-related crimes, sex trafficking and child pornography matters, as well as color of law prosecutions. Additionally, at various times in my career, I was called upon to handle criminal appellate matters.

Separate from my prosecutorial duties, I served as a Department of Justice Resident Legal Advisor (RLA) at the US Embassy in Niamey, Niger (2017) and the US Embassy in Jakarta, Indonesia (2018 – 2019). As RLA, my job entailed working with host nation partners to help build capacity for police, prosecutors

and judges to handle complex matters related to international terrorism and financial fraud.

During my tenure with the DOJ Office of Legal Policy, I had the immense honor of assisting both Chief Justice John Roberts and Justice Samuel Alito during their Senate confirmation hearings. I also worked with a number of nominees for the circuit courts and district courts – helping to prepare them for their Senate confirmation hearings. Furthermore, during my time at OLP, I was involved in formulating the DOJ response to the Supreme Court’s *Booker* decision, which rendered the federal sentencing guidelines advisory, rather than mandatory.

During my service at the Federal Election Commission, I worked directly for FEC Chairman Bradley Smith. In that role, my job entailed conducting research on federal campaign finance laws, assisting Chairman Smith prepare for commission hearings, and drafting advisory opinions. My job for Chairman Smith was somewhat analogous to the role that of a clerk would have for a federal judge.

Before that, I worked for the lobbying and public relations firm, BGR Group, in Washington, DC. In that job, my duties primarily entailed ensuring the firm’s compliance with various campaign finance and lobbying disclosure laws that governed the firm’s representation of its clients.

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

Most recently, my client has been Walmart, America’s largest corporation and largest private sector employer. In my current role, I am involved in handling internal investigations for the company involving violation of the company’s code of conduct, including Foreign Corrupt Practices Act (FCPA) concerns, financial fraud, and sexual harassment.

Before Walmart, my “client” was the United States government, for which I served as a litigator and prosecutor handling violations of federal criminal law with the United States Department of Justice. During my service at the Federal Election Commission, I worked directly for FEC Chairman Bradley Smith. In that role, my job entailed conducting research on federal campaign finance laws, assisting Chairman Smith for commission hearings, and drafting advisory opinions.

Before that I worked for the lobbying and public relations firm, BGR Group, in Washington, DC. In that job, my duties primarily entailed ensuring the firm’s compliance with various campaign finance and lobbying disclosure laws, including the Foreign Agent Registration Act (FARA) and Lobbying Disclosure Act (LDA).

- 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 have been a practicing attorney since 2001 – almost 25 years in total. I served for 20 years in the Department of Justice. All of my litigation experience occurred during my term of service with the DOJ, and the entirety of my litigation experience occurred in federal courts, specifically with prosecutions of federal crimes at the trial and appellate levels.

During my 20-year career as a prosecutor, I would appear in federal courts on a regular, albeit variable, basis. I have appeared as counsel of record in federal criminal cases in the Eastern District of Virginia, Eastern District of North Carolina, District of the Virgin Islands, Northern District of Mississippi, Eastern District of Kentucky, and Southern District of Illinois. In some periods of time, I would appear in Court as infrequently as once or twice a month. During other phases, I would appear in Court before federal grand juries, Magistrates and District Judges on a daily basis. The 20 felony criminal jury trials I was involved with lasted anywhere from two days to four weeks in length each. Many of the criminal investigations I handled involved lengthy presentations of witness testimony to federal grand juries, over the course of days or weeks.

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:    | 10% |
| 2. | criminal proceedings: | 90% |

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 was involved in 20 separate felony jury trials in federal district courts. I was lead counsel on fifteen of those trials and second chair on five.

I have also argued four matters before the Fourth Circuit Court of Appeals in Richmond, Virginia, and I was counsel of record in at least eighteen additional matters before that court.

I have tried approximately a dozen misdemeanor bench trials before US Magistrate Judges in the Eastern District of Virginia and the District of the Virgin Islands.

i. What percentage of these trials were:

- |    |           |     |
|----|-----------|-----|
| 1. | jury:     | 65% |
| 2. | non-jury: | 35% |

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

I have not practiced before the Supreme Court.

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

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

1. *United States v. Barnes*, 3:19-cr-47 (D.V.I) (Judge Robert Molloy) (Representation: 2021 – 2023)

After a three-week trial in December 2021, Stephanie Barnes was convicted of conspiring with former VI Casino Control Commission Chairwoman Anne Golden to commit theft in connection with programs receiving federal funds, theft of VI government monies, and filing of a false income tax return. As proven at trial, Barnes engaged in a corrupt scheme with Golden to have Barnes hired as a “problem gambling specialist” by the VI Casino Control Commission, even though Barnes had no education, background, or experience dealing with gambling addiction. Over the course of three years, Barnes received over \$600,000 in salary payments from the VI government, even though she had done little work as a so-called “problem gambling specialist.” In addition, Barnes conspired with Golden to use VI government funds to pay for an on-line PhD and Master program for Barnes. Furthermore, the two women went on lavish vacations, using chartered flights to locations such as St. Kitts for the annual Jazz Festival there, all using VI government monies. Barnes and Golden also traveled to New York City and paid \$5,000 (using VI government money) to purchase tickets to the Hamilton musical on Broadway. Barnes failed to report any of the income or other benefits that she had received from the VI Casino Control Commission on her annual income tax returns.

Barnes was sentenced to 42 months incarceration and ordered to pay restitution. I served as second chair in this trial.

Co-Counsel

Jill Koster (Former Assistant United States Attorney)  
National White Collar Crime Center  
4901 Dickens Road, Suite 110  
Richmond, VA 23230  
312-399-4095

Opposing Counsel

Martial Webster  
116 Queens Cross Street  
Frederiksted, VI 00840  
340-772-3555

2. *United States v. Bryan et. al.*, 1:22-cr-9 (D.V.I) (Judge Wilma A. Lewis) (Representation: 2022 – 2024)

This case involved charges against two prison guards who worked at the John A. Bell Correctional Center on St. Croix, US Virgin Islands. The defendants were charged with depriving a pretrial detainee of rights under the color of law, obstruction of justice, and making materially false statements. The charges stemmed from an incident where Maxwell Bryan assaulted an inmate and then attempted to cover up the assault by falsifying incident reports. Elvin Bloice was charged with obstructing the investigation and making materially false statements to the FBI. The first trial ended with a hung jury. However, both defendants were convicted of all charges upon a retrial. Bryan was sentenced to 21 months in prison, while Bloice was sentenced to three years of probation, including 8 months of home confinement. I handled the case from its inception, directing the FBI investigation into this matter, presenting the matter to the grand jury and handling all pre-trial motions. I was lead counsel at the first trial and the re-trial.

Co-counsel:

Dan Huston (Former Assistant United States Attorney)  
Senior Assistant Attorney General  
Ohio Attorney General's Office  
30 E Broad St 14th Floor,  
Columbus, OH 43215  
614-266-7154

Opposing counsel:

Lisa Brown Williams (For defendant Bryan)

Assistant Federal Public Defender  
Office of the Federal Public Defender  
4094 Estate Diamond Ruby  
Christiansted, VI 00820  
340-773-3585

Juan Matos de Juan (For defendant Bloice)  
412 Ave De Diego  
San Juan, PR 00923  
787-781-3355

3. *United States v. Camp*, 5:11-cr-155 (E.D.N.C) (Judge Terrence Boyle) (Representation: 2011 – 2012)

This case involved allegations of a wide-ranging bank fraud and aggravated identity theft scheme perpetrated by the defendant, Roger Camp, in connection with three commercial loan applications and one personal loan application, totaling in excess of \$6.4 million. In order to secure these loans, which were ostensibly to be used for purposes of establishing a bowling alley and restaurant, Camp submitted applications with forged documents indicating that a prominent and wealthy Raleigh-based businessman was acting as personal guarantor for these commercial loans. The matter went to trial, however, Camp pleaded guilty to all counts of the indictment after the government rested its case-in-chief. Camp was eventually sentenced to 102 months imprisonment. I handled the matter from its inception, directing the FBI investigation, presenting the matter to grand jury for indictment, handling all pre-trial litigation, serving as lead counsel and handling the sentencing.

Co-Counsel

Banumathi Rangarajan (Former Assistant United States Attorney)  
Southern Environmental Law Center  
136 E Rosemary Street, Suite 500  
Chapel Hill, NC 27514  
919-967-1450

Opposing counsel:

Eric Brignac (For defendant Roger Van Santvoord Camp)  
Federal Public Defender  
P.O. Box 25967  
Raleigh, NC 27611  
919-856-4263

4. *United States v. Baggett*, 7:12-cr-72 (E.D.N.C) (Judge James Fox) (Representation: 2012 – 2013)

As of 2012, the date that criminal charges were first filed against Mark Baggett, this case was the first time that criminal insider trading charges had been filed in the Eastern District of North Carolina. The criminal charges stemmed from an incident where Baggett received material non-public information from a member of the board of Mercer Insurance Company that Mercer would soon be acquired by United Fire & Casualty Company. Both Mercer and United Fire were publicly traded companies. Shortly before the pending acquisition was publicly announced, Baggett purchased approximately 4,400 shares of Mercer's stock. Once the acquisition was announced, shares of Mercer increased in value by 48%. Baggett quickly sold those Mercer shares he had purchased, realizing approximately \$45,000 in illicit profits, as a result of material non-public information that had been provided to him. When subsequently questioned by the SEC in the course of a civil investigation, Baggett falsely denied receiving material non-public information from a member of Mercer's board. Baggett was initially charged with insider trading under 15 U.S.C. §78j(b), he pleaded guilty to 18 U.S.C. §1505 – obstruction of agency proceedings. Baggett was sentenced to 5 years of probation and ordered to disgorge the illicit profits he had gained. I was the sole counsel in the case.

Opposing counsel:

Clay Wheeler  
Kilpatrick Townsend  
4208 Six Forks Road  
Raleigh, NC 27609  
919-420-1717

5. *United States v. Phillip*, 1:19-cr-1 (D.V.I) (Judge Wilma A. Lewis) (Representation: 2023)

The defendant, James Phillip, and a co-conspirator, Zayvon Acoy were charged with sex trafficking within a United States territory. The charges stem from a series of incidents where Acoy transported his then 16-year-old girlfriend to Phillip's home for Phillip to have sex with the underage girl. While Phillip had sex with the girl, Acoy would wait outside. Thereafter, Phillip would pay Acoy \$250 for each session with the underage girl. Although Acoy had pleaded guilty, Phillip went to trial. Phillip was convicted by the jury of sex trafficking and conspiracy to transport a minor for purposes of prostitution. Phillips faced a mandatory minimum sentence of 10 years and a maximum sentence of life. Even though the trial was held in April and May of 2023, Phillips has not yet been sentenced, as he appears to have developed dementia and does not have the mental capacity to be sentenced. According to PACER, a competency hearing was held for Phillip on February 5, 2026. I served as second chair co-counsel in this matter

Co-counsel:

Everard Potter (Former Assistant United States Attorney)  
Ogletree & Deakins  
1336 Beltjen Road

St. Thomas, VI 00802  
340-714-1270

Opposing counsel:

Kia Sears  
Assistant Federal Public Defender  
Office of the Federal Defender  
1336 Beltjen Road  
St. Thomas, VI 00802  
340-774-4449

6. *United States v. Starkie*, 5:13-cr-128 (E.D.N.C) (Judge Louise W. Flanagan)  
(Representation: 2013 – 2014)

Gary Starkie was a 52-year-old defendant with a violent criminal history. In 2013, he was arrested by the police in Greenville, North Carolina on suspicion of carrying a firearm. Starkie was seen by police officers walking towards the entrance of a convenience store. Starkie caught the attention of the police because he was dressed in a cap and heavy winter coat, even though it was a hot and muggy night in June. Police immediately made contact with Starkie who jumped behind a parked car. Police heard the sounds of a metallic object hitting the ground near where Starkie had jumped. Police found a pistol in that area not far from where Starkie was standing. As a convicted felon, Starkie was prohibited from possessing a firearm. He was indicted by a grand jury for violations of 18 U.S.C. § 922(g). The matter went to trial and Starkie was convicted after a three-day jury trial. Starkie was sentenced to 25 years imprisonment by Judge Flanagan. This is the longest sentence in any case that I prosecuted during my DOJ career. I was the sole counsel in this case.

Opposing counsel:

Joshua Willey  
Chief Public Defender  
1100 Clarks Road  
New Bern, NC 28562  
252-639-3203

7. *United States v. Marval-Navarro et al.*, 1:24-cr-5 (D.V.I) (Judge Wilma A. Lewis)  
(Representation: 2024)

This matter stemmed from an incident occurring on the night of February 11, 2024, at which point a drone operated by US Customs and Border Protection (CBP) detected a suspected drug boat traveling north towards the island of St. Croix. CBP requested assistance from a nearby ship of the UK Royal Navy, which attempted to intercept the suspected drug boat. The drug boat refused to stop, and a chase involving UK Royal Marines on fast boats and the US Coast Guard ensued. During this chase, the crew of the

drug boat was seen tossing bales overboard into the ocean. The suspected drug boat crashed ashore on the island of St. Croix, at which point a manhunt on land began, to include officers of DHS-HSI, the DEA and the Virgin Islands Police Department. The four defendants who had been on the drug boat were captured hiding in the bush near a remote beach on the south shore of St. Croix. DEA agents recovered a large number of bales carrying suspected cocaine where the drug boat had crashed ashore. The US Coast Guard also recovered many bales that had been tossed overboard into the ocean by the crew of the drug boat. In total, law enforcement authorities managed to recover 2,700 kilograms of cocaine from the drug boat, worth an estimated \$77 million. I was the only AUSA assigned to this matter from its inception. I filed the original criminal complaint, handled pre-trial litigation and presented the matter to the grand jury for indictment. Pre-trial litigation in this matter was ongoing when I left the US Attorney's Office in October 2024. I was the sole counsel in this case.

Opposing counsel:

David J. Cattie (for defendants Carreno-Carreno and Jose-Bermudez)  
Cattie Law Firm  
1701 Kongens Gade  
St. Thomas VI, 00802  
340-775-1200

Carl Williams (for defendants Marval-Navarro and Lugo-Marval)  
Law Offices of Carl Williams  
1701 Kongens Gade  
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8. *United States v. Charlemagne et al.*, 1:24-cr-8 (D.V.I) (Judge Wilma Lewis)  
(Representation: 2023 – 2024)

This matter is known colloquially in the Virgin Islands as “the woodpile scandal.” Davidson Charlemagne served as Director of Maintenance for the Virgin Islands Department of Education, while Sasha Charlemagne was his wife. Darin Richardson was Chief Operating Officer (COO) of the Virgin Islands Housing Finance Authority. The Charlemagnes were charged with government program fraud, wire fraud and money laundering conspiracy. Darin Richardson was charged with a criminal conflict of interest in violation of Virgin Islands law and making materially false statements.

The charges stem from a two-year investigation by the FBI, HUD-OIG and SBA-OIG into a VI Housing Finance Authority contract for the storage and management of wood that was shipped to the territory to be used for the reconstruction of commercial and residential buildings following hurricanes Irma and Maria in 2017. The indictment alleged that Davidson Charlemagne arranged for a company known as ISG to submit a bid on behalf of itself to store the wood. In turn, that company would subcontract the work to D&S Trucking, owned by the Charlemagnes. The bid, totaling nearly \$3 million,

included inflated labor costs, was ultimately awarded by Richardson to ISG, who at the time was the chief operating officer of VIHFA. Richardson had significant control over the procurement process and allegedly manipulated the evaluation of bids to favor ISG's proposal. After Richardson awarded the contract to ISG, its value was increased by \$1 million under false pretenses, with the length of the contract inaccurately extended. These actions resulted in significant financial gain for the Charlemagnes, facilitated by Richardson's misuse of his official position. Meanwhile, the lumber on St. Croix and St. Thomas remained almost entirely unused and stacked on pallets outdoors and exposed to the elements for more than three years. Moreover, the St. Croix woodpile was stored rent-free at Henderson Elementary School — meaning the VI government was paying the Charlemagnes millions of dollars to store its own property on its own land. The indictment also alleged that Richardson received a \$107,000 payment from the owner of ISG as a result of his role in the scheme, and that the actions of each defendant were integral to its success.

I was lead counsel who headed up the investigation of this matter, directing the joint work the investigators from HUD-OIG, SBA-OIG and the FBI. I drafted the indictment, presented it to the grand jury, securing a true bill, and handled all pre-trial litigation until my departure from the office in October 2024.

The presiding judge decided later on to sever the trial of Darin Richardson from his two co-defendants. He went to trial in February 2025 and was convicted. Davidson and Sasha Charlemagne's cases remain pending with no trial date scheduled thus far.

Co-counsel:

Yasir Sadat  
Assistant United States Attorney  
District of New Hampshire  
55 Pleasant Street #352  
Concord, NH 03301  
(603) 225-1552

Opposing counsel:

David Cattie (For defendant Davidson Charlemagne)  
Cattie Law Firm  
1701 Kongens Gade  
St. Thomas VI, 00802  
340-775-1200

Pamela Colon (For defendant Sasha Charlemagne)  
Law Offices of Pamela Colon  
2155 Kings Cross Street  
Christiansted, VI 00820

Darren John-Baptiste (For defendant Darin Richardson)  
Law Offices of Darren John-Baptiste  
45-46 Prindsen Gade  
St. Thomas VI, 00802  
340-774-4400

9. *United States v. Kolhagen et al.*, 7:14-cr-98 (E.D.N.C) (Judge James C. Dever)  
(Representation: 2013 – 2015)

I presented an indictment to the grand jury charging that, from 2011 until December 2013, Kolhagen, Pennington, and Bowling engaged in a conspiracy to defraud the United States in connection with a bid proposal for a contract to perform maintenance work on helicopters in Marine Helicopter Squadron One (HMX-1). The HMX-1 squadron is tasked with providing helicopter transport to the President of the United States, among other duties. Kolhagen who was a Chief Warrant Officer in the United States Marine Corps, had been the Contracting Officer's Representative for the HMX-1 squadron. Bowling and Pennington were retired Marine Corps senior non-commissioned officers, who served as helicopter mechanics during their military careers. At the time of this litigation, Pennington was Chief Executive Officer and Bowling was President of Valour, LLC, a Louisiana-based defense contractor engaged in the business of helicopter repair for the military. The Indictment alleged that Kolhagen illegally leaked confidential information, specifically the Independent Government Cost Estimate (IGCE) for the cost of a proposed contract for the maintenance of HMX-1 helicopters. Once Pennington and Bowling had the IGCE, the government alleged that they unlawfully colluded with Kolhagen to artificially inflate the cost estimate of the bid proposal. The government's theory of the case was that the IGCE constituted so-called "source selection material" under the Procurement Integrity Act. As such, the government alleged that Kolhagen's sharing of the IGCE was a violation of the Procurement Integrity Act. This was a novel legal question, and the defendants challenged the government's theory of criminal legal liability under the Procurement Integrity Act. Ultimately, the District Court sided with the defendants, ruling that while their conduct was perhaps "dishonorable, unbecoming, or unethical, those actions did not constitute a crime under the Procurement Integrity Act." Consequently, the District Court dismissed the Indictment. *See United States v. Kolhagen, et. al.*, 108 F. Supp. 3d 343, (E.D.N.C. 2015).

I was the sole counsel in this case.

Opposing counsel:

Joseph Zeszotarski  
1514 Glenwood Avenue  
2nd Floor  
Raleigh, NC 27608  
919-521-5878

10. *United States v. Kimmel*, 4:13-CR-57-D (E.D.N.C.) (Judge James C. Dever, III)

(Representation: 2014 – 2016)

Thomas Kimmel was the primary fundraiser in a Ponzi scheme that targeted church members across the country. The fraud revolved around the collateralization of high interest car loans given to individuals with poor credit histories. Kimmel was notes that he said offered a guaranteed of 12% annual interest, with investors' principle fully secured. He raised around \$20,000,000 through his fraud. The scheme collapsed, because these collateralized notes were highly risky and did not deliver the promised 12% return. Therefore, Kimmel took monies from new investors to pay the promised interest to his existing investors. Eventually, the fraud scheme collapsed. Three defendants pleaded guilty and cooperated, but Kimmel went to trial. I was brought in to assist the lead counsel in this case as second chair co-counsel. Kimmel was convicted at trial and ultimately sentenced to 20 years' imprisonment and over \$16,500,000 in restitution.

Co-counsel:

David Bragdon (Former Assistant United States Attorney)  
United States District Judge  
Middle District of North Carolina  
251 North Main Street  
Winston-Salem, NC 27101

Counsel for Defendant:

Harold Wood Vann  
120 East Parrish Street Suite 200  
Durham, North Carolina 27701  
919-682-9273

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

As an Assistant United States Attorney and Trial Attorney, I would advise and assist law enforcement agencies regarding ongoing investigations and potential targets.

As an Attorney Advisor in the DOJ Office of Legal Policy, I primarily dealt with judicial nominations, but I also advised on criminal justice policy matters, specifically the sentencing guidelines.

During the period that I worked for the BGR Group, I was registered as a lobbyist for the Monsanto Corporation and for Exelon Corporation in 2001 and 2002. I do not recall the nature

of the work that I did for these two clients approximately 25 years ago.

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 copies to the committee.

I have not taught any courses.

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

As a result of my 24 years of federal service, I will be entitled to receive a pension under the Federal Employees Retirement System (FERS).

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 plans, commitments, or agreements to pursue outside employment in the future.

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

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

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

Cases most likely to implicate conflict questions would be those related to my service as an attorney with the Department of Justice, specifically those criminal matters that I personally handled while serving as an Assistant United States Attorney in the District of the Virgin Islands, assuming that any such matters are still pending before the Court. To determine whether I would need to recuse, I would consult 28 U.S.C. §§ 455(a) & (b)(3), Canon 3C of the Code of Conduct for United States Judges, and all other applicable rules or canons. I would also consult any judicial decisions or Judicial Conference opinions addressing similar factual circumstances as those raised in the particular case. I will evaluate any other real of potential conflict, or relationship that could give rise to an appearance of conflict, on a case-by-case basis and take appropriate action, including recusal where necessary.

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

If confirmed, I will carefully review and address any real or potential conflicts of interest by reference to 28 U.S.C. § 455, all applicable canons of the Code of Conduct for United States Judges, and any and all other laws, rules, practices and procedures governing circumstances related to real or potential conflicts of interest.

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.

For the bulk of my legal career, I have worked for the Department of Justice. Because of my positions with the Department, I generally have been restricted from engaging in the practice of law on behalf of any entity other than the federal government.

Prior to joining the DOJ, I did periodically participate in a pro-bono clinic organized by American University law school to provide legal advice to indigent individuals on issues related to landlord-tenant disputes and family law matters. As I recall, this clinic was in Prince Georges County, Maryland and I would have participated in providing pro bono services around 2000 and 2001.

26. **Selection Process:**

a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your

nomination.

After Judge Wilma Lewis announced that she would be taking senior status, in March 2025, I was approached by an attorney on St. Croix who asked me if I was interested in applying for the vacancy, and I responded in the affirmative. I sent my resume to this attorney. Several months later, in December 2025, I received an email from the White House Counsel's Office inviting me to interview for the judicial vacancy in the District of the Virgin Islands. I accepted the invitation and participated in an interview with a number of attorneys at the White House Counsel's Office on January 6, 2026. Since then, I have been in contact with officials from the White House Counsel's Office and Justice Department's Office of Legal Policy.

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.

AFFIDAVIT

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

FEB. 23, 2026  
(DATE)

Evan Rikhye  
(NAME)

Amy M. Miller  
(NOTARY) 2/23/2026

OFFICIAL SEAL  
AMY M MILLER  
NOTARY PUBLIC . ARKANSAS  
BENTON COUNTY  
COMMISSION# 12699587  
COMMISSION EXP Dec 01, 2026