

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Diana Saldaña

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

United States District Judge for the Southern District of Texas

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

United States District Court for the Southern District of Texas
United States Federal Courthouse
1300 Victoria Street, Suite 2317
Laredo, Texas 78040

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

1971; Carrizo Springs, Texas

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.

1995 – 1997, The University of Texas School of Law; J.D., 1997

1994 – 1995, Hamline University School of Law; No Degree Obtained (credits transferred to the University of Texas School of Law)

1989 – 1994, The University of Texas at Austin; B.A. in Government, 1994; B.A. in History, 1993

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.

2006 – Present

United States District Court for the Southern District of Texas
United States Federal Courthouse
1300 Victoria Street, Suite 2317
Laredo, Texas 78040
United States Magistrate Judge

2001 – 2006

United States Attorney's Office for the Southern District of Texas
1100 Matamoros Street, Suite 200
Laredo, Texas 78040
Assistant United States Attorney

2000 – 2001

Beirne, Maynard & Parsons, L.L.P.
1300 Post Oak Boulevard, Suite 2500
Houston, Texas 77056
Associate

1998 – 1999

United States Department of Justice,
Civil Rights Division, Employment Litigation Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Trial Attorney

1998

United States Department of Agriculture
Office of the General Counsel, Civil Rights Division
1400 Independence Avenue S.W., Room 2029-S
Washington, D.C. 20250
Staff Attorney

1997 – 1998

United States District Court for the Southern District of Texas
United States Federal Courthouse
1300 Victoria Street, Suite 3232 (current address)
Laredo, Texas 78040
Law Clerk to Chief Judge George P. Kazen

1997

Juvenile Justice Clinic, The University of Texas School of Law
100 North IH-35
Austin, Texas 78705
Student Attorney (uncompensated)

1997
The University of Texas School of Law
727 East Dean Keeton Street
Austin, Texas 78705
Research Assistant to Professor Gerald Torres (uncompensated)

1996
Justice Rose Spector, Texas Supreme Court
201 West 14th Street
Austin, Texas 78701
Intern (uncompensated)

1996
Jones, Day, Reavis and Pogue
901 Lakeside Avenue
Cleveland, Ohio 44114
Summer Associate

1996
Baker and Botts, L.L.P.
2001 Ross Avenue, Suite 700
Dallas, Texas 75201
Summer Associate

1995
Migrant Legal Services
118 Broadway, Suite 305
Fargo, North Dakota 58102
Summer Law Clerk

1994 – 1995
Professor Michael V. Scherschligt, Hamline University School of Law
1536 Hewitt Avenue
St. Paul, Minnesota 55104
Research Assistant

1994
Mike Roesch, Farmer
2530 170th Avenue
Ada, Minnesota 56510
Migrant Farm Worker

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

I have not served in the military and have not 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.

Texas A&M International University, Criminal Justice Internship Program,
Certificates of Appreciation, 2007, 2008, 2009

State of Texas House of Representatives Resolution, H.R. No. 2240, 2007

U.S. Immigration & Customs Enforcement, Certificate of Appreciation, 2006

U.S. Attorney's Office, Southern District of Texas, Laredo Division:

Service Award, 2004

Sisyphus Award, 2003, 2005

On the Spot Award, 2003

Special Achievement for Sustained Superior Performance, 2003, 2005

U.S. Border Patrol, Laredo Sector, Certificate of Appreciation, 2001

The University of Texas School of Law:

Ronald D. Krist Endowed Presidential Scholarship Recipient, 1996

Mexican-American Legal Defense and Educational Fund Scholarship Recipient,
1995

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.

United States District Court for the Southern District of Texas

MJSTAR Committee (2008 – Present)

Federal Magistrate Judges Association (2006 – Present)

National Hispanic Prosecutors Association (2005)

Region III President

Webb County Bar Association (2001 – present)

Vice-President (2005)

Webb County Women's Bar Association (2001 – Present)

Houston Bar Association Adopt-A-School Committee (2001)

National Hispanic Bar Association (1995 – Present)

Austin Hispanic Bar Association (1995 – 1997)

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.

Texas, 1997

There have been no lapses in membership.

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

Supreme Court of the United States, 2003
United States Court of Appeals for the Fifth Circuit, 2000
United States District Court for the Southern District of Texas, 1998
Supreme Court of Texas, 1997

There have been no lapses in membership.

11. Memberships:

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

The University of Texas School of Law Diversity Weekend Planning Committee
(2006 and 2009)
Texas Exes, Laredo Chapter (2005 – Present)
Home Owners Association, La Villita Del Lago, Laredo, Texas
President (2005 – 2006)
Voz de Niños (Childrens' Voice), Court Appointed Special Advocates, Laredo,
Texas (2007)
Steering Committee, Member (2007)
Red Mass Committee, Laredo, Texas (2001 – Present)
Alexandria City Public Schools Volunteer Program (1998 – 1999)

- 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.

None of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

None that I recall or have been able to identify.

- 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.

None that I recall or have been able to identify.

- 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.

None that I recall or have been able to identify.

- 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 searched my files and calendars as well as publicly-available Internet sources to create a response to this question as comprehensive as possible, but there may be others I have been unable to recall or identify.

On the following dates I presided over Naturalization Ceremonies and either offered congratulatory remarks or introduced guest speakers who offered congratulatory remarks: January 22, 2010; September 11, 2009; May 8, 2009; February 27, 2009; December 5, 2008; October 24, 2008; August 22, 2008; August 8, 2008; May 23, 2008; February 8, 2008; June 22, 2007; March 9, 2007; September 2006; and June 23, 2006. I have no transcript or notes.

December 9, 2009 – Keynote Speaker, United High School National Honor Society Induction Ceremony, Laredo, Texas. The speech was congratulatory in nature and intended to encourage a group of high school students to stay focused as they enter college. Notes supplied.

September 30, 2009 – Speaker, National Hispanic Heritage Celebration, Laredo, Texas. The speech was on the strides made by the Hispanic community to date, the need for involvement in the Hispanic community, and the importance of encouraging students to complete high school and receive a college education. I have no transcript or notes.

September 24, 2009 – Speaker, Lyndon B. Johnson High School, AP Government Class, Laredo, Texas. The speech encouraged students to complete high school and attend college. I also discussed my experiences growing up as a migrant farm worker and my current occupation as a judge. I have no transcript or notes.

April 25, 2009 – Speaker, Texas A&M International University End of the Year Banquet, College Assistance Migrant Program & High School Equivalency Program, Laredo, Texas. The speech was congratulatory in nature to a group of college students who had successfully completed their first year of college through the college assistance migrant program. I also discussed my experiences growing up as a migrant farm worker and my current occupation as a judge. I have no transcript or notes.

December 10, 2008 – Speaker, United South High School Career Day, Laredo, Texas. I spoke about my experiences growing up as a migrant farm worker and my current occupation as a judge. I have no transcript or notes.

July 31, 2008 – Keynote Speaker, Leadership Laredo, Laredo, Texas. I spoke about my experiences growing up as a migrant farm worker and encouraging members to be active in their community. I have no transcript or notes.

May 30, 2008 – Commencement Speaker, Carrizo Springs High School Graduation Ceremony, Carrizo Springs, Texas. A copy is supplied.

May 9, 2008 – Host, United States Border Patrol New Officers Courthouse Visit, Laredo, Texas. I hosted a group of recently graduated border patrol agents as observers in my courtroom. I explained the magistrate court process at the end of the court session. I have no transcript or notes.

May 8, 2008 – Host, Texas A&M International University Student Courthouse Visit, Laredo, Texas. I hosted a group of college students as observers in my courtroom and I explained the magistrate court process at the end of the court session. I have no transcript or notes.

February 9, 2008 – Host, Youth Leadership Laredo Courthouse Visit, Laredo, Texas. I hosted a group of college students as observers in my courtroom and I explained the magistrate court process at the end of the court session. I have no transcript or notes.

February 7, 2008 – Speaker and Panelist, 2008 Civil & Criminal Federal Practice Seminar, Laredo, Texas, sponsored by the Federal Bar Association and the Laredo-Webb County Bar Association. A copy of the outline and power-point presentation on “CJA issues and Billing in Court-Appointed cases” is supplied.

January 22, 2008 – Host, Cub Scouts “Do Your Best” Visit to Courthouse, Laredo, Texas. I hosted a group of cub scouts in my courtroom and talked to them about making good choices. I have no transcript or notes.

December 20, 2007 – Graduation Speaker, Reasoning and Rehabilitation Program, U.S. Probation Office, Laredo, Texas. I congratulated the graduates of the program and spoke to them about my experiences growing up as a migrant farm worker. I have no transcript or notes.

December 5, 2007 – Speaker, United South High School Career Day, Laredo, Texas. I spoke about experiences growing up as a migrant farm worker and my current occupation as a judge. I have no transcript or notes.

October 31, 2007 – Support Group Speaker, Casa De Misericordia, Lamar Bruni Vergara Education Center, Laredo, Texas. I spoke to a group of women about combating domestic violence. I have no transcript or notes.

October 24, 2007 – Support Group Speaker, Casa De Misericordia, Lamar Bruni Vergara Education Center, Laredo, Texas. I spoke to a group of women about combating domestic violence. I have no transcript or notes.

September 6, 2007 – Keynote Speaker, Casa De Misericordia Conference on Domestic Violence, Laredo, Texas. I spoke about combating domestic violence and my experiences growing up in an abusive home. Notes supplied. The speech was the subject of a news article, Jason Buch, *Judge shares emotional family tale*, LAREDO MORNING TIMES, Oct. 5, 2007, which is supplied.

July 31, 2007 – Luncheon Speaker, Human Trafficking Conference, Laredo, Texas. I spoke to the participants of the conference regarding my experiences growing up as a migrant farm worker. I have no transcript or notes.

July 19, 2007 – Press Conference Speaker, Voz De Niños, Laredo, Texas. The outline for my remarks is supplied. The speech was the subject of a newspaper article, Christina Rosales, *Advocacy program making a comeback*, LAREDO MORNING TIMES, July 20, 2007 and a press release, also supplied.

June 13, 2007 – Graduation Speaker, Reasoning and Rehabilitation Program, U.S. Probation Office, Laredo, Texas. I congratulated the graduates of the program and spoke to them about my experiences growing up as a migrant farm worker. I have no transcript or notes.

June 9, 2007 – Keynote Speaker, Youth Leadership Laredo, Laredo, Texas. A copy is supplied. The speech was the subject of a newspaper article, Mike Hall, *Youth Leadership Laredo: Vision continues as its second class is larger than the first*, LAREDO MORNING TIMES, July 2, 2007, at 8, also supplied.

April 30, 2007 – Master of Ceremonies, *Dia de los Ninos* (Day of the Children), Texas Migrant Council, Inc., Laredo, Texas. I introduced the special guests and participated in the ribbon cutting for the event. I have no transcript or notes.

April 13, 2007 – Host, J.W. Nixon and Dr. Leo Cigarroa High School Criminal Justice High School Students Courthouse Visit, Laredo, Texas. I hosted a group of criminal justice high school students as observers in my courtroom, and I explained the legal proceedings to them. I have no transcript or notes. The event was the subject of a letter to the editor of the Laredo Morning Times, Ricardo H. Alvarez & Nora Villarreal, Letter to the Editor, *Teachers thank judges for helping students*, LAREDO MORNING TIMES, Apr. 13, 2007, which is supplied.

March 29, 2007 – Keynote Speaker, Texas A&M International University, College of Arts and Sciences Conference, Laredo, Texas. A copy is supplied.

March 9, 2007 – Keynote Speaker, “Fairness,” United Day Middle School, Laredo, Texas. A copy of my outline is supplied.

September 8, 2006 – Keynote Speaker, Kick-Off Dinner, Youth Leadership Laredo, Texas A&M International University, Laredo, Texas. A copy of my outline is supplied.

June 9, 2006 – Keynote Speaker, Investiture Ceremony of Diana Saldaña as a United States Magistrate Judge, Laredo, Texas. A copy of the speech is supplied.

May 15, 2006 – Keynote Speaker, Kiwanis Club Law Enforcement of the Year Awards Banquet, Laredo, Texas. A copy is supplied. The speech was the subject of a newspaper article, *Saldaña guest speaker at Kiwanis event*, LAREDO MORNING TIMES, May 14, 2006, also supplied.

March 27, 2006 – Speaker, Swearing-In Ceremony of Diana Saldaña as a United States Magistrate Judge, Laredo, Texas. I have no transcript or notes. The event was the subject of a newspaper article, Clay Reddick, *Saldaña is new magistrate judge*, LAREDO MORNING TIMES, Mar. 28, 2006, at 3A, which is supplied.

April 27, 2005 – Speaker, Law and Society undergraduate class, Texas A&M International University, Laredo, Texas. I spoke to the class about my work as an Assistant United States Attorney. I have no transcript or notes.

1998 – Panelist, Law School Admission Council’s Education Conference, *Reaffirming the Value of Diversity*, Phoenix, Arizona. Notes supplied.

1998 – Panelist, “Secrets to Success–For Women Only,” Texas A&M International University, Laredo, Texas. I was a panelist and spoke about my experiences in law school and as a judicial law clerk. I have no transcript or notes.

1998 – Introductory Remarks, Texas Hispanic Journal of Law and Policy Panel Discussion, Constructing Reality After Hopwood. The remarks are at 4 TEX. HISP. J.L. & POL’Y 45 (Spring 1998), which is supplied.

- 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 searched my files as well as publicly-available Internet sources to create a response to this question as comprehensive as possible, but there may be others I have been unable to recall or identify.

Spike Gillespie, *A Dream Made Real*, *UT LAW Magazine*, Winter 2009, at 72-73.

John Council, *The Big 30: U.S. District Judge George P. Kazen Takes Senior Status and Reflects On His Beloved Laredo*, *TEXAS LAWYER*, June 1, 2009.

Jesse Bogan, *Federal Judge logs 25 years in busy Laredo position*, *SAN ANTONIO EXPRESS NEWS*, June 28, 2008.

James Pinkerton, *Illegal Immigration Crackdown*, *HOUSTON CHRONICLE*, Nov. 20, 2007, at A1.

Cinematic Biographical Interview, Univision, Laredo, Texas, *Nuestro Orgullo* (Our Pride), May 2, 2007.

Meg Guerra, *U.S. Magistrate Judge Diana Saldaña—a work ethic forged in the migrant fields of Minnesota and North Dakota*, *LAREDOS*, Oct. 2006, at 50-52.

George Zarazua, *Singer Hinojosa handed probation in drug case*, *SAN ANTONIO EXPRESS NEWS*, Feb. 13, 2003.

Cinematic Biographical Interview, UT Law School Foundation 50th Anniversary Celebration, *The Gift of Excellence*, Castleview Productions, Austin, Texas, 2002.

Cinematic Biographical Interview, Law School Admission Council, *Believe and Achieve: Latinos in Law*, Edge Productions, New York, New York, 2000 (available at http://www.lsac.org/VideoStreams/Believe_Main.asp).

A. Phillips Brooks, *Success stories like Diana Saldana have colleges reconsidering admission tests*, FORT WORTH STAR-TELEGRAM, Jan. 7, 1998.

A. Phillips Brooks, *Texas Colleges Looking Past Test Scores*, AUSTIN-AMERICAN STATESMAN, Oct. 26, 1997, at A1.

Martin Walker, *This Week: God Bless (White) America*, THE GUARDIAN (LONDON), May 17, 1997.

Ellis Cose, *The Color Bind*, NEWSWEEK, May 12, 1997.

Kevin Ley, *Campus Panel Discusses Racism in Admissions*, Daily Texan, 1996 (I do not have the exact date).

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

On March 27, 2006, I was appointed a United States Magistrate Judge by the United States District Court for the Southern District of Texas.

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

In approximately thirty cases, I have issued Reports and Recommendations on dispositive motions referred to me by District Judge George P. Kazen.

I also preside over a misdemeanor and petty offense docket. I have presided over the plea and sentencing of approximately 17,000 Class B misdemeanor cases, the penalty for which is up to six months' imprisonment. I have presided, by consent of the parties, over the plea and sentencing of 12 Class A misdemeanor cases, the penalty for which is up to one-year's imprisonment. I have presided over felony guilty pleas in approximately 3,500 cases. In each of those cases, I issued a Report and Recommendation to the district judge for acceptance of the guilty plea. In each case, the district judge adopted my Report and Recommendation.

- i. Of these, approximately what percent were:

jury trials:	0%
bench trials:	0%
civil proceedings:	1%
criminal proceedings:	99%

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

See attached list of opinions.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. *Eliserio, et al. v. Floydada Housing Auth.*, No. 5:05-cv-4 (CM/ECF) (S.D. Tex.); 455 F.Supp.2d 648 (S.D. Tex. 2006); 2008 WL 901493 (S.D. Tex. Mar. 31, 2008).

Plaintiffs were migrant farm workers who brought an action under the Migrant and Seasonal Agricultural Worker Protection Act (AWPA) against Floydada Housing Authority, a municipal operator of a farm labor housing facility. In part, Plaintiffs claimed that Floydada's farm labor housing failed to meet federal and state safety and health standards, in violation of 29 U.S.C. § 1823(a). Floydada moved to dismiss for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6), arguing, in part, that it was not a "person" subject to suit for purposes of the AWPA because of its governmental status. The motion was referred to me for a recommended ruling. I recommended denial of Defendant's motion to dismiss. District Judge George P. Kazen adopted my Report and Recommendation.

Plaintiffs also sued the United States Department of Agriculture under the Administrative Procedure Act (APA), 5 U.S.C. § 701, alleging that USDA, Defendant Floydada's financial supporter, made funding and housing enforcement decisions adverse to Plaintiffs because of Plaintiffs' race and national origin. USDA moved to dismiss, arguing, in part, that Plaintiffs lacked standing to bring suit under the APA. On referral, I recommended granting USDA's motion in part, concluding that Plaintiffs had failed to establish standing under Article III's case or controversy requirement as to claims related to loan approval and discrimination. District Judge George P. Kazen adopted my Report and Recommendation. The parties ultimately reached a resolution of the case.

Plaintiffs' counsel: Robert W. Doggett
Texas Rural Legal Aid, Inc.
4920 North IH-35
Austin, TX 78751
(512) 374-2725

Defendants' counsel: Jean-Michel Voltaire
U.S. Department of Justice
20 Massachusetts Avenue N.W.
Washington, D.C. 20530
(202) 616-8211

2. *Holstine v. DaimlerChrysler Corp.*, No. 5:06-cv-53 (CM/ECF) (S.D. Tex.); 2007 WL 4611914 (S.D. Tex. Dec. 12, 2007).

After a motor-vehicle accident, Plaintiff filed a products liability action against DaimlerChrysler alleging negligence and strict liability causes of action against the manufacturer and seller of Holstine's car. After a lapse of the deadline for amendment of pleadings, Plaintiffs moved to amend their complaint and add several non-diverse defendants, whose joinder would destroy diversity of parties and the Court's jurisdiction. I denied Plaintiffs' motion pursuant to Federal Rule of Civil Procedure 16(b)(4) and 28 U.S.C. § 1447(e). The parties ultimately reached a resolution of the case.

Plaintiffs' counsel: Josh William Hopkins
Sico, White, *et al.*
802 North Carancahua, Suite 900
Corpus Christi, TX 78470
(361) 653-3300

Defendant's counsel: Martha Cigarroa de Llano
Person, Whitworth, *et al.*
602 East Calton Road.
Laredo, TX 78042
(956) 727-4441

3. *United States v. Ramon Campos-Pena*, No. 5:06-cr-1466, Doc. 18 (CM/ECF) (S.D. Tex. Jan. 30, 2007)

Defendant Campos-Pena was charged, in part, of possessing with intent to distribute a quantity of less than 50 kilograms of marijuana. Campos-Pena moved to suppress the narcotics, which were discovered by Border Patrol agents at a fixed checkpoint. He argued that the agents did not have reasonable suspicion to detain him after establishing that he was a legal resident alien. He also challenged the legality of the search of his vehicle. I presided over the hearing on the motion to suppress. Because I concluded that agents had reasonable suspicion to detain

Campos-Pena, I issued a Report and Recommendation recommending denial of the motion to suppress. District Judge George P. Kazen adopted my Report and Recommendation.

Assistant U.S. Attorney: Graciela Rodriguez-Lindberg
Office of the U.S. Attorney
1100 Matamoros Street
Laredo, TX 78040
(956) 723-6523

Defendant's counsel: Joe G. Jacinto
Raul Martinez
Office of the Federal Public Defender
1501 Matamoros Street
Laredo, TX 78040
(956) 753-5313

4. *Martinez, et al. v. Gutierrez, et al.*, No. 5:05-cv-206, Doc. 18 (CM/ECF) (S.D. Tex. Sept. 5, 2006).

Plaintiffs were thirteen migrant farm workers from Texas who filed a complaint under the Migrant and Seasonal Agricultural Worker Protection Act (AWPA), and also raising state law claims for breach of contract, fraud, and negligent representation, alleging that Defendants provided false and misleading information regarding the terms and conditions of employment and failed to meet minimum safety and health standards in housing. I recommended that the district judge deny a defendant migrant-worker recruiter's motion to dismiss for lack of personal jurisdiction and improper venue, finding that defendant's contacts with Laredo, Texas were sufficient to support personal jurisdiction. District Judge Kazen adopted my Report and Recommendation. This case was eventually resolved by the parties.

Plaintiffs' counsel: Guadalupe Canales,
Texas Rural Legal Aid, Inc.
1719 Matamoros
Laredo, TX 78042
(956)727-5191

Defendants' counsel: H. Fred Cook
Wilson, Cribbs, *et al.*
2500 Fannin
Houston, TX 77002
(713) 222-9000

5. *Luna v. Astrue*, No. 5:06-cv-61, Doc. 30 (CM/ECF) (S.D. Tex. Feb. 29, 2008).

Plaintiff appealed to the District Court the determination of an Administrative Law Judge that he was not entitled to receive Title XVI supplemental security income benefits. I issued a Report and Recommendation that the case be reversed and remanded to the Commissioner of the Social Security Administration for further proceedings because of an unresolved conflict in the record between the vocational expert's testimony regarding the identified jobs that would accommodate plaintiff's residual functional capacity and the DOT description of the jobs. District Judge George P. Kazen adopted my Report and Recommendation and remanded the case back to the Commissioner.

Plaintiff's counsel: Douglas E. Dilley
635 South Presa
San Antonio, TX 78210
(210) 225-0111

Defendant's counsel: Kerry J. Simpson
Social Security Administration
1301 Young Street, Suite 430
Dallas, TX 75202
(214) 767-5582

6. *Garza, Jr. v. Laredo Indep. School Dist.*, No. 5:04-cv-137, Doc. 58 (CM/ECF) (S.D. Tex. Feb. 23, 2007).

A teacher who was employed by Laredo Independent School District filed a complaint until Title VII alleging that LISD discriminated against him on the basis of his national origin and then retaliated against him because he complained to the school board about the discriminatory treatment. I concluded that because plaintiff had failed to exhaust his administrative remedies on some of his Title VII claims, the Court lacked jurisdiction to entertain these claims. I recommended partial dismissal, and District Judge Micaela Alvarez adopted my Report and Recommendation.

Plaintiff's counsel: Gregorio Garza, Jr. (*Pro se*)

Defendant's counsel: John A. Kazen
Kazen, Meurer, *et al.*
211 Calle Del Norte, Suite 100
Laredo, TX 78041
(956) 712-1600

7. *Palacios v. Quarterman*, No. 5:06-cv-151, Doc. 26 (CM/ECF) (S.D. Tex. July 2, 2008).

Petitioner, who was serving a 55-year prison sentence for murder upon a jury verdict of guilty, sought habeas corpus relief from state custody pursuant to Section 2254. Petitioner made several claims, including: that the state prosecution withheld and lost or destroyed material evidence that was favorable to him; that the trial court's evidentiary rulings denied him the right to present a defense and to confront a state witness with impeachment evidence; and that defense counsel provided ineffective assistance at the trial and on appeal. I recommended that Petitioner's claims be dismissed, including Petitioner's ineffective assistance of counsel claims, which was based on his trial counsel's questioning of a co-defendant that opened the door to prejudicial testimony that Petitioner attempted to kill an eyewitness to the murder. I concluded that even if counsel's performance was deficient in this respect, its effect was not prejudicial to Petitioner, given the strength of the evidence against him. District Judge George P. Kazen adopted my Report and Recommendation that the Court grant Respondent's motion for summary judgment and dismiss the Section 2254 habeas petition. On June 24, 2010, the Fifth Circuit Court of Appeals affirmed the denial of habeas relief.

Plaintiff's counsel: *Pro se*

Defendant's counsel: Sallie Christian-Carnal
Office of the Attorney General
Post Litigation Division
Capital Station
P. O. Box 12548
Austin, TX 78711
(512) 936-1400

8. *United States v. Hovey*, No. 5:07-cr-656, Doc. 41 (CM/ECF) (S.D. Tex. Jan. 11, 2008).

Defendant Hovey was charged with possession with intent to distribute a quantity in excess of 1,000 kilograms of marijuana. The narcotics were discovered by officers in Hovey's tanker truck. Hovey moved to suppress the marijuana as evidence, arguing that a DPS officer had seized and searched the tanker truck without probable cause in violation of the Fourth Amendment. I presided over the motion to suppress hearing and issued a Report and Recommendation where I upheld the stop and the inspection based upon the regulatory exception to the warrant requirement enunciated by the Supreme Court in *New York v. Burger*, 107 S.Ct. 2636 (1987), and extended by the Fifth Circuit to Texas commercial motor vehicle stops in *United States v. Fort*, 248 F.3d 475 (5th Cir. 2001). District Judge George P. Kazen adopted my Report and Recommendation.

Assistant U.S. Attorney: Robert Searls Johnson
Office of the U.S. Attorney
919 Milam
Houston, TX 77002
(713) 567-9706

Defendant's counsel: Oscar Alvarez
600 South 11th Street
McAllen, TX 78501
(956) 686-6330

9. *United States v. Rodriguez*, No. 5:07-cr-154-3 (CM/ECF) (S.D. Tex.).

In May 2007, I took the plea of defendant Rodriguez, a resident alien who pled guilty to one count of conspiracy under 18 U.S.C. § 1203 for the kidnapping-for-ransom of two U.S. nationals. The involved a complicated factual scenario, and Rodriguez had a difficult time admitting to the underlying facts so I had to go over the facts in great detail so that there would be no confusion as to what the defendant was admitting as part of the plea. After a long factual colloquy, I accepted the plea and issued a Report and Recommendation. District Judge George P. Kazen adopted my Report and Recommendation that he accept Rodriguez's guilty plea. She was eventually sentenced to 168 months imprisonment and ordered to make restitution of over \$25,000 to the victims.

Assistant U.S. Attorney: Diana Ming Hsuen Song
Office of the U.S. Attorney
P.O. Box 1179
Laredo, TX 78042
(956) 723-6523

Defendant's counsel: Adriana Benavides-Maddox
1015 Scott Street
Laredo, TX 78040
(956) 791-3003

10. *United States v. Garcia*, No. 5:07-cr-452-6 (CM/ECF) (S.D. Tex.).

In January 2008, I took the plea of defendant Garcia, who pled guilty to a count of conspiracy under 18 U.S.C. § 1201 for the kidnapping-for-ransom and transport in foreign commerce of an undocumented immigrant from El Salvador. Garcia also pled guilty to brandishing or discharging a firearm during a crime of violence, 18 U.S.C. § 924. This case was unique because the victim was held in custody as a material witness. I met with the victim on various occasions and discussed his security concerns. I then coordinated with the U.S. Marshal Service and the Assistant United States Attorney to ensure that the victim's safety was a priority. I also appointed an attorney to represent the victim. Eventually, the victim was

taken out of custody and placed in a safe house. District Judge George P. Kazen adopted my Report and Recommendation that he accept Garcia's guilty plea. Garcia was eventually sentenced to 130 months' imprisonment, to be served consecutively to a mandatory minimum of 10 years.

Assistant U.S. Attorney: Graciela Rodriguez Lindberg
Office of the U.S. Attorney
P.O. Box 1179
Laredo, TX 78042
(956) 721-4960

Defendant's counsel: Fausto Sosa
101 East Hillside Road, Suite 11C
Laredo, TX 78041
(956) 727-4477

- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

1. *Eliserio, et al. v. Floydada Housing Auth.*, 455 F.Supp.2d 648 (S.D. Tex. 2006).

Plaintiffs' counsel: Robert W. Doggett
Texas Rural Legal Aid, Inc.
4920 North IH-35
Austin, TX 78751
(512) 374-2725

Defendants' counsel: Jean-Michel Voltaire
U.S. Department of Justice
20 Massachusetts Avenue N.W.
Washington, D.C. 20530
(202) 616-8211

2. *Eliserio, et al. v. Floydada Housing Auth.*, 2008 WL 901493 (S.D. Tex. Mar. 31, 2008).

Plaintiffs' counsel: Robert W. Doggett
Texas Rural Legal Aid, Inc.
4920 North IH-35
Austin, TX 78751
(512) 374-2725

Defendants' counsel: Jean-Michel Voltaire
U.S. Department of Justice
20 Massachusetts Avenue N.W.
Washington, D.C. 20530
(202) 616-8211

3. *Holstine v. DaimlerChrysler Corp.*, 2007 WL 4611914 (S.D. Tex. Dec. 12, 2007). .

Plaintiffs' counsel: Josh William Hopkins
Sico, White, *et al.*
802 North Carancahua, Suite 900
Corpus Christi, TX 78470
(361) 653-3300

Defendant's counsel: Martha Cigarroa de Llano
Person, Whitworth, *et al.*
602 East Calton Road.
Laredo, TX 78042
(956) 727-4441

4. *United States v. Ramon Campos-Pena*, No. 5:06-cr-1466, Doc. 18 (CM/ECF)
(S.D. Tex. Jan. 30, 2007)

Assistant U.S. Attorney: Graciela Rodriguez-Lindberg
Office of the U.S. Attorney
1100 Matamoros Street
Laredo, TX 78040
(956) 723-6523

Defendant's counsel: Joe G. Jacinto
Raul Martinez
Office of the Federal Public Defender
1501 Matamoros Street
Laredo, TX 78040
(956) 753-5313

5. *United States v. Cervantes*, No. 5:09-cr-281, Doc. 30 (CM/ECF) (S.D. Tex. Oct.
26, 2009).

Assistant U.S. Attorney: Robert F. Ramirez
Office of the U.S. Attorney
P.O. Box 1179
Laredo, TX 78042
(956) 723-6523

Defendant's counsel: Oscar A Vela , Jr.
1800 Victoria Street
Laredo, TX 78040
(956) 725-9714

6. *United States v. Gutierrez*, No. 5:08-cr-1976-2, Doc. 57 (CM/ECF) (S.D. Tex. Mar. 16, 2009).

Assistant U.S. Attorney: Robert F. Ramirez
Office of the U.S. Attorney
P.O. Box 1179
Laredo, TX 78042
(956) 723-6523

Defendant's counsel: David Almaraz
1802 Houston Street
Laredo, TX 78040
(956) 727-3828

7. *Compean, et al. v. County of Webb, et al.*, No. 5:06-cv-168, Doc. 69 (CM/ECF) (S.D. Tex. July 22, 2008).

Plaintiffs' counsel: Octavio Salinas, II
213 West Village Boulevard, Suite 6
Laredo, TX 78041
(956) 727-4942

Defendants' counsel: Eric Magee
Allison, Bass, *et al.*
402 West 12th Street
Austin, TX 78701
(512) 482-0701

8. *Woodson v. Bickham, et al.*, No. 5:06-cv-100, Doc. 66 (CM/ECF) (S.D. Tex. Dec. 20, 2007).

Plaintiff's counsel: *Pro se*

Defendant's counsel: Maurice Lawrence Wells
Office of the Attorney General
300 West 15th, 7th Floor
Austin, TX 78701
(512) 463-2080

9. *United States v. Zambrano*, No. 5:07-cr-48, Doc. 29 (CM/ECF) (S.D. Tex. April 25, 2007).

Assistant U.S. Attorney: Robert F. Ramirez
Office of the U.S. Attorney
P.O. Box 1179
Laredo, TX 78042
(956) 723-6523

Defendant's counsel: Christina Flores
1308 San Agustin
Laredo, TX 78040
(956) 728-7474.

10. *Martinez, et al. v. Gutierrez, et al.*, No. 5:05-cv-206, Doc. 18 (CM/ECF) (S.D. Tex. Sept. 5, 2006).

Plaintiffs' counsel: Guadalupe Canales,
Texas Rural Legal Aid, Inc.
1719 Matamoros
Laredo, TX 78042
(956) 727-5191

Defendants' counsel: H. Fred Cook
Wilson, Cribbs, *et al.*
2500 Fannin
Houston, TX 77002
(713) 222-9000

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

To the best of my knowledge, certiorari has not been requested or granted in any of my cases.

- 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.

I have not had a case that was overturned or affirmed with significant criticism by an appellate court. There have been two opinions where the district court did not accept my recommendation.

1. *Montes v. Webb County, et al.*, No. 5:05-cv-76, Doc. 51 (CM/ECF) (S.D. Tex. Mar. 3, 2008). I recommended granting Defendants' motion for

summary judgment, relying on the Fifth Circuit's interpretation of Supreme Court precedent holding that the First Amendment does not insulate speech of a public employee who speaks in his official capacity. Before the district court reviewed my opinion, the Fifth Circuit clarified its interpretation, which resulted in District Judge George P. Kazen not adopting my Report and Recommendation.

2. *United States v. Miguel Guadalupe Cervantes*, No. 5:09-cr-281, Doc. 30 (CM/ECF) (S.D. Tex. Oct. 26, 2009). I recommended denying Defendant's motion to suppress but District Judge George P. Kazen did not adopt my Report and Recommendation. Judge Kazen held that the officer had not developed reasonable suspicion at the point where Defendant had been seized and this constitutional violation tainted Defendant's consent to search his suitcase.
- 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.

As a magistrate judge, I issue orders on non-dispositive matters, including a significant number of discovery motions. In consent cases, I draft orders on dispositive motions and issue Reports and Recommendations on all dispositive matters referred to me. The motions vary in complexity. I issue hundreds of such orders annually. Very few of these orders are published. On many occasions, my opinions and orders are unpublished, although all such orders are docketed in the court's Case Management Electronic Case Filing System (CM/ECF), making them available to the public.

- 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.

McCarty v. Quarterman, 2008 WL 4372703 (S.D. Tex. Sep. 19, 2008), *aff'd*, 2010 WL 1752037 (5th Cir. Apr. 30, 2010).
Eliserio, et al. v. Floydada Housing Auth., 2008 WL 901493 (S.D. Tex. Mar. 31, 2008).
Rodriguez v. Quarterman, 2008 WL 717735 (S.D. Tex. Mar. 17, 2008).
United States v. Soto, No. 5:09-cr-1476-2, Doc. 51 (CM/ECF) (S.D. Tex. Oct. 26, 2009).
United States v. Cervantes, No. 5:09-cr-281, Doc. 30 (CM/ECF) (S.D. Tex. Oct. 26, 2009).
United States v. Martinez, No. 5:09-cr-699, Doc. 27 (CM/ECF) (S.D. Tex. July 13, 2009).
United States v. Hinojosa, No. 5:08-cr-2057, Doc. 30 (CM/ECF) (S.D. Tex. May 18, 2009).
United States v. Gutierrez, No. 5:08-cr-1976-2, Doc. 57 (CM/ECF) (S.D. Tex. Mar. 16, 2009).

United States v. Garcia, No. 5:08-cr-17, Doc. 25 (CM/ECF) (S.D. Tex. July 8, 2008).

United States v. Campos, No. 5:97-cr-262-9, Doc. 395 (CM/ECF) (S.D. Tex. July 3, 2008).

Palacios v. Quarterman, No. 5:06-cv-151, Doc. 26 (CM/ECF) (S.D. Tex. July 2, 2008) (report and recommendation adopted by presiding judge), *aff'd*, 5th Cir. June 24, 2010.

United States v. Santiago, No. 5:06-cr-1657, Doc. 27 (CM/ECF) (S.D. Tex. Mar. 27, 2007).

Montes v. Webb County, et al., No. 5:05-cv-76, Doc. 51 (CM/ECF) (S.D. Tex. Mar. 3, 2008).

United States v. Hovey, No. 5:07-cr-656, Doc. 41 (CM/ECF) (S.D. Tex. Jan. 11, 2008).

Woodson v. Bickham, et al., No. 5:06-cv-100, Doc. 66 (CM/ECF) (S.D. Tex. Dec. 20, 2007).

United States v. Gomez-Gonzalez, No. 5:07-cr-493, Doc. 77 (CM/ECF) (S.D. Tex. Sept. 26, 2007).

United States v. Dovalina, Jr., No. 5:06-cr-1267, Doc. 52 (CM/ECF) (S.D. Tex. May 25, 2007).

United States v. Borrego-Ramos, No. 5:07-cr-218, Doc. 23 (CM/ECF) (S.D. Tex. May 23, 2007).

United States v. Zambrano, No. 5:07-cr-48, Doc. 29 (CM/ECF) (S.D. Tex. Apr. 25, 2007) (report and recommendation adopted by presiding judge), *aff'd* 325 Fed.Appx. 369, 2009 WL 1209149 (5th Cir. May 5, 2009).

Montes v. Webb County, et al., No. L-05-cv-76, Doc. 33 (CM/ECF) (S.D. Tex. Feb. 16, 2007).

United States v. Campos-Pena, No. 5:06-cr-1466, Doc. 18 (CM/ECF) (S.D. Tex. Jan. 30, 2007).

United States v. Juan Gabriel Molina, No. 5:06-cr-1156, Doc. 18 (CM/ECF) (S.D. Tex. Oct. 2, 2006).

Martinez v. Gutierrez, No. 5:05-cv-206, Doc. 18 (CM/ECF) (S.D. Tex. Sept. 5, 2006).

United States v. Jorge Meza, No. 5:06-cr-689, Doc. 38 (CM/ECF) (S.D. Tex. Aug. 7, 2006).

- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

I have not sat by designation on a federal court of appeals.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to

an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

I follow the federal recusal statutes and the Code of Conduct for United States Judges. I maintain a standing recusal list of individuals and entities which requires my recusal consistent with these authorities, such as close friends and law firms that I have retained to handle personal and business matters. I also review the parties and counsel in each case to ensure I do not have a close relationship to any of the parties, identified witnesses, or counsel that would interfere with my neutrality or compromise the appearance of justice. In addition, the Southern District of Texas has a program in place through which a judge discloses any interest(s) in a company, organization, etc. If that entity is entered as a party in the computer program, an alert is sent to the judge of the potential conflict. I do not have an interest in any company and/or organization that presently requires recusal or disqualification.

In *United States v. Alanis*, Case No. 5:05-cr-1640-S, the defendant filed a motion to recuse and to vacate a detention order on the basis that, as an Assistant United States Attorney, I had handled the initial appearance of a co-defendant. I was not aware at the time of the detention hearing that I had previously made a court appearance representing the United States Attorney's Office in the case against Alanis' co-defendant. Alanis was not a named defendant in the case when I was employed at the United States Attorney's office. Regardless, because of the potential appearance of impropriety, I granted the motion, vacated my detention order, and recused myself from the case.

Upon determining that I was a federal prosecutor involved in the following cases, I recused from these matters:

United States v. Ruano, 5:04-cr-2399
United States v. Miranda, et al., 5:06-cr-1430
United States v. Gonzales, et al., 5:07-cr-535
United States v. Contreras, et al., 5:07-cr-378
United States v. Gutierrez-Cantu, 5:08-cr-1189

I also have recused myself *sua sponte* in the following cases:

Grajeda v. City of Laredo, et al., 5:09-cv-111. I recused myself because my husband is a named party.

Mariscal v. City of Laredo, et al., 5:09-cv-91. I recused myself because the lawsuit is against my husband's employer, the City of Laredo Police Department.

Benavides v. Klein, 5:09-cv-00003. I recused myself because my husband was the responding police officer in this case involving a vehicular accident.

United States v. Aleman, 5:08-cr-557. I recused myself because the Defendant is married to my first cousin.

United States v. Saldana, et al., 5:10-cr-00005. I recused myself because the Defendant is my first cousin.

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 offices other than judicial office. I have had no unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

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

I have never held any office in any political party or held a position or played a role in any political 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 served as a law clerk to the Honorable George P. Kazen, Chief Judge, United States District Court for the Southern District of Texas, Laredo Division, from 1997 to 1998.

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

I never practiced alone.

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

1998

United States Department of Agriculture
Office of the General Counsel, Civil Rights Division
1400 Independence Avenue S.W., Room 2029-S
Washington, D.C. 20250
Staff Attorney

1998 – 1999

United States Department of Justice
Civil Rights Division, Employment Litigation Section
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530
Trial Attorney

2000 – 2001

Beirne, Maynard & Parsons, L.L.P.
1300 Post Oak Boulevard, Suite 2500
Houston, Texas 77056
Associate

2001 – 2006

United States Attorney's Office, Southern District of Texas
1100 Matamoros Street, Suite 200
Laredo, Texas 78040
Assistant United States Attorney

- 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 did not serve as a mediator or arbitrator prior to taking the bench as a Magistrate Judge. As a Magistrate Judge, I have served as a mediator in only one case. This was in *Hogquist v. Greyhound Lines, Inc.*, No. 5:05-cv-162 (S.D. Tex.), a Title VII suit filed by a *pro se* litigant against his

employer. Plaintiff alleged that he was terminated, in part, in retaliation for his involvement in protected workers' union activities. The case was successfully resolved at mediation.

b. Describe:

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

I began my legal career as a law clerk to U.S. District Judge George P. Kazen from August 1997 to August 1998, during which I worked primarily on civil matters. From August 1998 to December 1998, I worked as a staff attorney for the United States Department of Agriculture (USDA) representing USDA agencies in various forms of employment disputes. From December 1998 to December 1999, I worked as a trial attorney for the Department of Justice investigating and prosecuting employment discrimination cases against state and local government employers. From January 2000 to May 2001, I worked at Beirne, Maynard & Parsons, L.L.P, where I primarily handled defense in personal injury, toxic tort, employment, and complex commercial matters. In May 2001, I returned to Laredo and served as an Assistant United States Attorney from May 2001 to March 2006. I handled criminal matters.

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

At the USDA and the Department of Justice, I represented the United States. At Beirne, Maynard & Parsons, L.L.P, I represented small businesses, financial institutions, and corporations.

- 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.

My law practice was 100% litigation. From August 1998 to May 2001 when I became an Assistant United States Attorney, I was in court infrequently. When I served as an Assistant United States Attorney, I was in court on a daily basis.

- 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.

As a federal prosecutor, I tried 18 criminal cases to verdict. I was sole counsel in nine of those cases, and I was chief counsel in six of those cases. As chief counsel, I worked with and trained my co-counsel.

i. What percentage of these trials were:

1. jury: 83%
2. non-jury: 17%

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

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

- 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 vs. Jimenez, et al.*, No. 5:03-cr-1593, United States District Court, Southern District of Texas, Laredo Division, Hon. George P. Kazen; September 2003 – February 2006. I represented the United States in this case involving a long-term investigation into a group responsible for the transportation of marijuana and cocaine to Dallas, Texas. I began assisting the Drug Enforcement Administration (DEA) with the investigation and development of this case in 2001. I presented the case to the grand jury in 2003 after a seizure of 804 pounds of cocaine at a ranch near Laredo,

Texas. The grand jury indicted nine individuals with a drug conspiracy as a result of this investigation. The total amount of narcotics seized attributable to this group was over 11,000 pounds of marijuana and over 900 pounds of cocaine. One defendant requested a jury trial and was ultimately convicted. The remaining defendants pleaded guilty.

Defense counsel: Octavio Salinas, II (representing Jimenez)
213 West Village Boulevard, Suite 6
Laredo, TX 78041
(956) 727-4942

Guillermo Garcia (representing A. Castaneda)
1810 San Bernardo Avenue
Laredo, TX 78040
(956) 728-0777

Gustavo Acevedo (representing Campbell)
1701 Freemont Street
Laredo, TX 78043
(956) 726-4228

Jeffrey Czar (representing E. Castaneda)
1000 Washington Street, Suite 4
Laredo, TX 78040
(956) 791-9211

Oscar O. Pena (representing De La Cruz)
1720 Matamoros
Laredo, TX 78040
(956) 722-5167

2. *United States vs. Martinez, et al.*, No. 5:04-cr-2529, United States District Court, Southern District of Texas, Laredo Division, Hon. Micaela Alvarez; November 2004 – August 2006. I represented the United States in this case involving a long-term investigation into a group responsible for the transportation of cocaine and methamphetamine to Dallas, Texas. I presented the case to the grand jury with charges against three defendants, including the confidential source. They each pleaded guilty.

Defense counsel: John Samuel Paul
Office of the Federal Public Defender
1501 Matamoros Street
Laredo, TX 78040
(956) 753-5313

Octavio Salinas, II
213 W. Village Boulevard, Suite 6
Laredo, TX 78041
(956) 727-4942

Tony Figueroa
1319 Convent
Laredo, TX 78040
(956) 724-2889

3. *United States vs. Gutierrez*, No. 5:04-cr-1546, United States District Court, Southern District of Texas, Laredo Division, Hon. George P. Kazen; August 2004 – April 2005. I represented the United States in this case where the defendant was arrested at the IH-35 Checkpoint after agents found cocaine in the vehicle she was driving. I dismissed the indictment in this case after Gutierrez pleaded guilty to the charges, but before sentencing, after determining that the investigating agent did not disclose to the defense the use of an informant. Upon learning of the informant and the non-disclosure, I disclosed the information to the defense and the court and dismissed the indictment.

Defense counsel: Raul Martinez
1501 Matamoros Street
Laredo, TX 78040
(956) 753-5313

4. *United States v. Cain, et al.*, No. 5:03-cr-667, United States District Court, Southern District of Texas, Laredo Division, Hon. Keith P. Ellison; March 2003 – January 2004. I represented the United States in this multi-defendant case where agents seized approximately 8,800 pounds of marijuana at a warehouse in Laredo, Texas. One defendant requested a jury trial and was convicted. The remaining defendants pleaded guilty.

Defense counsel: Isidro R. Alaniz (representing Cain)
1419 Santa Maria Avenue
P.O. Box 521
Laredo, TX 78042
(956) 795-1699

Luis Correa (representing Montemayor-Flores)
4718 Camino Dorado
San Antonio, TX 78233
(210) 590-1544

David Almaraz (representing Valle-Navarro)
P.O. Box 6875
Laredo, TX 78042
(956) 725-3639

Olivero Canales (representing Munoz-Luna)
1102 Scott Street, Suite 4B
Laredo, TX 78040
(956) 723-5092

Jeffrey Czar (representing Perez-Villegas)
1000 Washington, Suite 4
Laredo, TX 78040
(956) 791-9211

5. *United States v. Chavez*, No. 5:03-cr-848, United States District Court, Southern District of Texas, Laredo Division, Hon. Jay Zainey; April 2003 - September 2003. I represented the United States in this case where the defendant was arrested at the Laredo port of entry driving a vehicle with methamphetamine concealed in the battery. At trial, the defense claimed that the defendant was mentally disabled. The case resulted in a verdict of not guilty.

Co-counsel: Gracie Rodriguez-Lindberg
Office of the U.S. Attorney
1100 Matamoros, Suite 200
Laredo, TX 78040
(956) 723-6523

Defense counsel: Arturo Villarreal
1501 Matamoros Street
Laredo, TX 78040
(956) 753-5313

David Castillo
1501 Matamoros Street
Laredo, TX 78040
(956) 753-5313

6. *United States v. Davalos*, No. 5:01-cr-533, United States District Court, Southern District of Texas, Laredo Division, Hon. Keith P. Ellison; May 2001 – November 2001. I represented the United States in this case that involved the seizure of marijuana found inside of a trailer driven by Davalos at the IH-35 Checkpoint. Davalos claimed no knowledge of the narcotics concealed in the trailer, claiming that his co-defendant was culpable. Both defendants requested a jury trial, which resulted in an acquittal for Davalos and a dismissal of the charges as to his co-defendant.

Co-counsel: Jim Noble
110 North College, Suite 700
Tyler, TX
(903) 590-1400

Defense counsel: Jose Luis Ramos
107 North Garza
Rio Grande City, TX 78582
(956) 487-3597

Jeffrey Czar
1000 Washington, Suite 4
Laredo, TX 78040
(956) 791-9211

7. *Wade Travis Vest v. Reliant Energy HL&P, f/k/a Houston Lighting & Power Company*, Cause No. 99-28561, 165th Judicial District Court of Harris County, Texas, Hon. Elizabeth Ray; June 1999 – November 2000. I represented Reliant Energy HL&P f/k/a Houston Lighting & Power and Joseph W. Frey. This case involved a personal injury claim against Reliant Energy by a welder. I handled discovery and settlement negotiations. A settlement was reached.

Co-counsel: Jay Brown
1300 Post Oak Boulevard, Suite 2500
Houston, TX 77056
(713) 623-0887

Plaintiff's counsel: Jana O. Salinger
Olivier & Mundy, L.L.P.
1414 West Clay Street
Houston, TX 77019
(713) 751-1818

8. *United States v. Garcia*, No. 5:01-cr-918, United States District Court, Southern District of Texas, Laredo Division, Hon. George P. Kazen; August 2001 – November 2002. I represented the United States in the prosecution of a father and son who were arrested for drug possession after a search warrant was executed at the Hamilton Parking Garage in Laredo, Texas. Both defendants ultimately pleaded guilty after several suppression hearings.

Defense counsel: Eustorgio Perez
1102 Scott Street
Laredo, TX 78040
(956) 723-2943

Tony Figueroa
1319 Convent
Laredo, TX 78040
(956) 724-2889

9. *United States v. Vasquez*, No. 5:02-cr-1354, United States District Court, Southern District of Texas, Laredo Division, Hon. Keith P. Ellison; October 2002 – April 2005. I represented the United States in this case where the defendant pleaded guilty to interstate transportation of a stolen vehicle. Before the defendant was sentenced, he attempted to escape from custody and severely assaulted a county jailer. Judge Ellison sentenced the defendant to 120 months, the statutory maximum penalty.

Defense counsel: Arturo Villarreal
1501 Matamoros Street
Laredo, TX 78040
(956) 753-5313

Jason Davis
Reid & Davis, LLP
4301 West Bank Drive, Suite B-230
Austin, TX 78746
(512) 647- 6100

10. *United States v. Hinojosa*, No. 5:02-cr-1215, United States District Court, Southern District of Texas, Laredo Division, Hon. George P. Kazen; August 2002 – February 2003. I represented the United States in this case where the defendant and her boyfriend were arrested at the Laredo port of entry attempting to import Rohypnol from Nuevo Laredo, Tamaulipas, Mexico into the United States. Hinojosa is a folk singer with a national recording contract, and the case received media attention. The defendants pleaded guilty.

Defense counsel: Monica Z. Notzon
1015 Scott Street
Laredo, TX 78040
(956) 791-3003

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.)

I have not performed any lobbying activities on behalf of any client or organization.

With respect to litigation that did not progress to trial, most of the matters I handled, both as a civil litigator and Assistant United States Attorney, settled before trial. Extensive pretrial work, however, was involved. While serving as a trial attorney with the Department of Justice, I was responsible for enforcing Title VII of the Civil Rights Act against state and local government employers. I reviewed cases referred from the Equal Employment Opportunity Commission for possible participation by the DOJ on behalf of the complaining parties, individuals who did not otherwise have the means to retain legal representation. I participated in several "pattern or practice" discrimination investigations, which involved the interviewing of the complainants and responding state or local government employers. With the Department of Agriculture, I acted as defense counsel for various USDA agencies being sued by their employees for alleged discrimination. More specifically, I defended the Farm Service Administration in a lawsuit filed by African-Americans alleging failure to promote based on race. I also reviewed all compensatory damage awards issued by the Office of Civil Rights.

While in law school, one of the most significant legal activities that I pursued was working as a law clerk at Migrant Legal Services in and around Fargo, North Dakota. As a law clerk with that agency, I was able to serve the migrant community. The work was significant to me because of my background as a migrant farm worker.

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

I have not taught any law school or college courses. However, in April 2005, I taught at a Criminal Paralegal Seminar at the National Advocacy Center, 1620 Pendleton Street, Columbia, South Carolina 29201. My presentation focused on Immigration Related Offenses.

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.

None.

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 have no plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service with the court.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

My husband is an officer with the Laredo Police Department. I would recuse myself in any case involving him. In cases involving the City of Laredo or Laredo Police Department but not otherwise involving my husband, I will follow the Code of Conduct and federal recusal statutes.

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

If I am confirmed, I will continue to follow the federal recusal statutes and the Code of Conduct for United States Judges. If any issue of a potential conflict were to arise, I would consult the applicable statutes and the Code and, if necessary, would seek advice from the Code of Conduct Committee of the Judicial Conference. In cases of uncertainty, I would err on the side of disqualification or recusal.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

As a law clerk from 1997 to 1998, I assisted a local church and the local homeless shelter in feeding the hungry and with activities for school-aged children. I also served as a panelist and speaker in 1998 at the Law School Admission Council's annual conference regarding the importance of diversity in higher education. Based on that event, the Law

School Admission Council produced *Believe and Achieve: Latinos in Law* (available at http://www.lsac.org/VideoStreams/Believe_Main.asp).

From 1998 to 1999, I participated in a program with the Alexandria Public School system in Alexandria, Virginia where I tutored a Spanish-speaking student once a week. From 2000 to 2001, while in private practice, I volunteered with the Houston Bar Association's Adopt-A-School program. While an AUSA from 2001 to 2006, I volunteered for food drives and the Operation Weed and Seed adopt-a-student program.

As a Magistrate Judge, I have remained active in community activities consistent with the judicial canons. Since 2006, I have frequently given speeches to youth groups and students about becoming responsible leaders, graduating from high school, and attending college. On one occasion, I hosted the students in my courtroom and also sponsored a moot court competition in my courtroom. In 2007, I was the keynote speaker at the *Casa de Misericordia*, Battered Women's Shelter annual conference. I have also met with the shelter's battered women during their group session and the children of the battered women during their group session. In 2009, I organized and chaperoned a field trip for the children of the battered women to view a Metropolitan Opera telecast of Puccini's *Madame Butterfly*. Most recently, in December 2009, through the Webb County Women's Bar Association, I assisted in organizing a gift drive for abused and neglected children.

26. Selection Process:

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

On November 5, 2008, I submitted a judicial questionnaire to United States Senators John Cornyn and Kay Bailey Hutchison in response to a press release announcing that they were accepting applications to fill a judicial vacancy in Laredo, Texas. On November 6, 2008, I forwarded a copy of the judicial questionnaire to United States Representative Henry Cuellar and expressed my interest in the judicial vacancy. I was contacted by the chair of Congressman Cuellar's judicial selection committee and was interviewed on April 16, 2009. I met with the members of the Texas Congressional Delegation on April 22, 2009, and with the chiefs of staff of Senators John Cornyn and Kay Bailey Hutchison on April 20, 2009. The meetings occurred in Washington, D.C. On November 30, 2009, I interviewed with Senators Cornyn and Hutchinson's Judicial Selection

Committee in San Antonio, Texas. On January 26, 2010, I interviewed with Senators Cornyn and Hutchison in Washington, D.C.

Since March 2010, I have been in contact with pre-nomination officials at the Department of Justice. On April 29, 2010, I had an interview at the Department with attorneys from the Department of Justice and the White House Counsel's Office. The President submitted by nomination to the Senate on July 14, 2010.

- 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.

FINANCIAL DISCLOSURE REPORT NOMINATION FILING

Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Saldana, Diana	2. Court or Organization U.S. District Court Southern District of Texas	3. Date of Report 07/14/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge - Nominee	5a. Report Type (check appropriate type) ☒ Nomination, Date 07/14/2010 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 07/01/2010
7. Chambers or Office Address U.S. Courthouse 1300 Victoria, Ste. 2317 Laredo, TX 78040	8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____	
IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information. Sign on last page.		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of filing instructions.)

☐ NONE (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Steering Committee Member	Voz de Ninos, Texas CASA non-profit children advocacy organization
2.	
3.	
4.	
5.	

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of filing instructions.)

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1.	
2.	
3.	

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Saldana, Diana

Date of Report

07/14/2010

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)***A. Filer's Non-Investment Income**☒ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1.		
2.		
3.		
4.		

B. Spouse's Non-Investment Income - *If you were married during any portion of the reporting year, complete this section.**(Dollar amount not required except for honoraria.)*☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2010	City of Laredo, Texas - Salary
2. 2009	City of Laredo, Texas - Salary
3.	
4.	

IV. REIMBURSEMENTS — *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)*☐ NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. Exempt				
2.				
3.				
4.				
5.				

FINANCIAL DISCLOSURE REPORT

Page 3 of 6

Name of Person Reporting

Saldana, Diana

Date of Report

07/14/2010

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*☐ NONE *(No reportable gifts.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1. Exempt		
2.		
3.		
4.		
5.		

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*☐ NONE *(No reportable liabilities.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1. U.S. Department of Education	student loan	K
2.		
3.		
4.		
5.		

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Saldana, Diana

Date of Report

07/14/2010

VII. INVESTMENTS and TRUSTS – income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) Place "X" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. City of Laredo 401(k) (no control)	A	Interest	J	T	Exempt				
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									

1. Income Gain Codes:

(See Columns B1 and D4)

A = \$1,000 or less

F = \$50,001 - \$100,000

B = \$1,001 - \$2,500

G = \$100,001 - \$1,000,000

C = \$2,501 - \$5,000

H1 = \$1,000,001 - \$5,000,000

D = \$5,001 - \$15,000

H2 = More than \$5,000,000

E = \$15,001 - \$50,000

2. Value Codes

(See Columns C1 and D3)

J = \$15,000 or less

N = \$250,001 - \$500,000

K = \$15,001 - \$50,000

O = \$500,001 - \$1,000,000

L = \$50,001 - \$100,000

P1 = \$1,000,001 - \$5,000,000

M = \$100,001 - \$250,000

P2 = \$5,000,001 - \$25,000,000

P3 = \$25,000,001 - \$50,000,000

Q = Appraisal

U = Book Value

R = Cost (Real Estate Only)

V = Other

S = Assessment

W = Estimated

T = Cash Market

3. Value Method Codes

(See Column C2)

FINANCIAL DISCLOSURE REPORT

Page 5 of 6

Name of Person Reporting

Saldana, Diana

Date of Report

07/14/2010

VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report.)*

III.A. Non-investment non-reportable income earned during reportable period for service as a United States Magistrate Judge.

FINANCIAL DISCLOSURE REPORT

Page 6 of 6

Name of Person Reporting

Saldana, Diana

Date of Report

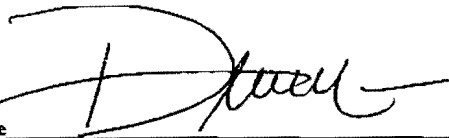
07/14/2010

IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature



NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		5	887	Notes payable to banks-secured		61	546
U.S. Government securities				Notes payable to banks-unsecured		42	653
Listed securities				Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due		10	898
Due from relatives and friends			900	Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable -primary residence		218	316
Real estate owned-primary residence		235	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		65	000				
Cash value-life insurance							
Other assets itemize:							
Thrift Savings Plan Account		134	449				
Texas Municipal Retirement Account		10	036				
				Total liabilities (excluding contingent)		333	413
				Net Worth		117	859
Total Assets		451	272	Total liabilities and net worth		451	272
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor		10	199	Are any assets pledged? (Add schedule)	NO		
On leases or contracts				Are you a defendant in any suits or legal actions?	NO		
Legal Claims				Have you ever taken bankruptcy?	NO		
Provision for Federal Income Tax							
Other special debt							

AFFIDAVIT

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

July 13, 2010
(DATE)

Diana Saldaña
(NAME)

Margarita Barba
(NOTARY)

