

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

John Thomas Shepherd

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

United States District Judge for the Western District of Arkansas

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: Union County Courthouse
 101 North Washington, Suite 205
 El Dorado, Arkansas 71730

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

1987; El Dorado, Arkansas

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.

2010 – 2013, University of Arkansas School of Law; J.D. (*magna cum laude*), 2013

2005 – 2009, Rice University; B.A., 2009

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.

2025 – Present
Thirteenth Judicial Circuit, Division Four
Union County Courthouse
101 North Washington, Suite 205
El Dorado, Arkansas 71730

Circuit Judge

2022 – Present

Noalmark Broadcasting Corporation
202 West 19th Street
El Dorado, Arkansas 71730
Radio Color Analyst for El Dorado High School Football

2016 – 2024

Thirteenth Judicial District Prosecuting Attorney's Office
307 American Road, Suite 114
El Dorado, Arkansas 71730
Deputy Prosecuting Attorney (2019 – 2024)
Prosecuting Attorney (2017 – 2019)
Deputy Prosecuting Attorney (2016 – 2017)

2016 – 2024

Law Offices Shepherd & Shepherd, P.A.
200 North Jefferson Avenue, Suite 600
El Dorado, Arkansas 71730
Partner

2013 – 2016

Matthew J. Shepherd, P.A.
200 North Jefferson Avenue, Suite 600
El Dorado, Arkansas 71730
Attorney

2012 – 2013 (Estimated)

University of Arkansas School of Law
1045 West Maple Street
Fayetteville, Arkansas 72701
Research Assistant to Mark R. Killenbeck, Wylie H. Davis Distinguished Professor of Law

2012

Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.
425 West Capitol Avenue, Suite 1800
Little Rock, Arkansas 72201
Summer Associate

2012

Friday, Eldredge & Clark, LLP
400 West Capitol Avenue, Suite 2000
Little Rock, Arkansas 72201
Summer Associate

2011

Friday, Eldredge & Clark, LLP
400 West Capitol Avenue, Suite 2000
Little Rock, Arkansas 72201
Summer Associate

2010

United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510
Intern for United States Senator Mark Pryor (Arkansas)

Other Affiliations (uncompensated):

2018 – Present

Boys & Girls Club of El Dorado, Inc.
1201 North West Avenue
El Dorado, Arkansas 71730
Board of Directors (uncompensated)

2017 – Present

Boomtown Classic, Inc.
200 North Jefferson Avenue, Suite 600
El Dorado, Arkansas 71730
Board of Directors (uncompensated)
Secretary/Treasurer (2019 – Present)
Secretary (2017 – 2018)

2016 – Present

Union County Sports Hall of Fame, Inc.
209 Chula Vista Drive
El Dorado, Arkansas 71730
Board of Directors (uncompensated)

2015 – 2019 (Estimated)

The South Arkansas Historical Preservation Society, Inc.
412 East Faulkner
El Dorado, Arkansas 71730
Board of Directors (uncompensated)

2014 – 2017

El Dorado Parks and Playgrounds Commission
204 North West Avenue
El Dorado, Arkansas 71730
Commissioner (uncompensated)

2014 – 2024
El Dorado Habitat for Humanity, Inc.
514 East 5th Street
El Dorado, Arkansas 71730
Board of Directors (uncompensated)

2014 – 2016 (Estimated)
El Dorado-Union County Chamber of Commerce
111 West Main Street
El Dorado, Arkansas 71730
Board of Directors (uncompensated)

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

I have not served in the military. I 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.

University of Arkansas School of Law
Honors graduate (*magna cum laude*) (2013)
Dean's List for High Scholastic Achievement (2010 – 2013)

Managing Editor, *Arkansas Law Review* (2012 – 2013)

Research Assistant, Mark R. Killenbeck, Wylie H. Davis Distinguished Professor of Law (2012 – 2013)(Estimated)

Candidate, *Arkansas Law Review* (2011 – 2012)

Arkansas Bar Foundation – Shackleford/Phillips Scholarship Recipient (2010)

Three-year Letterman (Quarterback) for Rice University NCAA FBS Football Team (2005 – 2009)

Invited Counselor, Manning Passing Academy (2009)

Conference USA Commissioner's Honor Roll (2008 – 2009)

Texas Bowl (2008)

Bill Whitmore Award Winner, Rice Football (2008)

R+L Carriers New Orleans Bowl (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.

Arkansas Access to Justice Foundation, Board of Directors (2021 – Present)

Arkansas Bar Association (2013 – Present)

Arkansas Judicial Council (2025 – Present)

Legislative Committee (2025 – Present)

Long Range Planning Committee (2025 – Present)

Arkansas Prosecuting Attorney Association (2016 – 2024)

Arkansas Supreme Court Committee on Automation (2024 – Present)

Association of the Bar of the United States Court of Appeals for the Eighth Circuit (2017 – 2024)

Board of Directors (2016 – 2022)

Criminal Justice Act Panel Attorney, United States District Court for the Western District of Arkansas (2014 – 2016)

The Federalist Society (2011, 2017 – Present)

National District Attorney Association (2017 – 2018) (Estimated)

National Football League Players Association, Certified Contract Advisor (2015 – 2018)

Southern States Police Benevolent Association, Inc., On-Call Attorney (2015 – 2020)

Uniform Law Commission (2017 – Present)

Study Committee on Trade Secrets (2024 – Present)

Study Committee on Election Law (2021 – 2024)

Drafting Committee Pretrial Release and Detention Act (2018 – 2020)

Union County Bar Association (2013 – Present)

President (2016 – 2017) (Estimated)

Secretary/Treasurer (2015 – 2016) (Estimated)

Law Day Chair (2014)

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.

Arkansas, 2013

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.

United States Court of Appeals for the Eighth Circuit, 2017

United States District Court for the Eastern District of Arkansas, 2013

United States District Court for the Western District of Arkansas, 2013

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.

Boomtown Classic, Inc., Board of Directors (2017 – Present)

Secretary/Treasurer (2019 – Present)

Secretary (2017 – 2018)

Boys & Girls Club of El Dorado, Inc., Board of Directors (2018 – Present)

Program Committee (2021 – Present)

El Dorado Golf & Country Club, Member (2018 – 2023)

El Dorado Habitat for Humanity, Inc., Board of Directors (2014 – 2024)

El Dorado/Union County Chamber of Commerce, Board of Directors (2014 – 2016)
(Estimated)

El Dorado High School Football Coach Search Committee, Member (2023)

First Baptist Church, El Dorado, Arkansas, Member (2013 – Present)

Trustee (2022 – 2025)

Deacon (2015 – Present)

Chairman (2021 – 2022)

Vice Chairman (2020 – 2021)

Secretary (2019 – 2020)

Rice Alumni for Admissions (2014 – 2020)

SHARE Foundation Golf Tournament Committee (2014 – 2019)

The South Arkansas Historical Preservation Society, Inc., Board of Directors (2015 – 2019) (Estimated)
Union County Sports Hall of Fame, Board of Directors (2016 – 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 am not, and would not be, a member in any organization that practices discrimination on the basis of race, sex, religion, or national origin.

The El Dorado Golf & Country Club was formed in 1923. It may have had a practice of discrimination at the time of its formation but such practice ceased many decades ago, prior to my membership. Further, I am no longer a member.

To the best of my knowledge, none of the other organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. **Published Writings and Public Statements:**

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

Press release, “Undefeated Harding set for Showdown against SAU in Murphy USA Classic” (Oct. 16, 2023). I edited this press release announcing a local college football game. Copy supplied.

Press release, “John Thomas Shepherd to Run for Circuit Judge Position” (March 6, 2023). I prepared this press release announcing my candidacy for Circuit Judge. Copy and press coverage supplied.

Press release, “MUSA Classic Welcomes Muleriders, Tigers to annual football game,” (Aug. 9, 2022). I edited this press release announcing a local college football game. Copy supplied.

Press release, “MUSA Classic canceled,” (Aug. 29, 2020). I edited a press release announcing the cancellation of a local college football game. I have no copy of the press release. Press coverage supplied.

El Dorado, Arkansas: An Architectural History, excerpts published in A City by Design, El Dorado Insider's Guide (Fall 2014 Issue). A portion of a paper that I wrote in college was published in a local magazine. Copy supplied.

Press release, "Former U.S. Attorney General to Speak in El Dorado" (May 12, 2014). I prepared this press release for the Union County Bar Association Law Day luncheon. Copy supplied.

Who is the Arkansas Traveler?: Analyzing Arkansas's "Journey" Exception to the Offense of Carrying a Weapon, 66 Ark. L. Rev. 463 (2013). Copy supplied.

While Prosecuting Attorney and as a Deputy Prosecuting Attorney, I prepared several press releases following the conclusion of noteworthy cases. However, I have no copy or record of such press releases. Press coverage supplied.

While in law school in 2011 and 2012, I cite-checked and performed typographical and stylistic edits of several law review articles in Volumes 64 and 65 of the *Arkansas Law Review*. The authors of the articles were responsible for their substantive content. I have no record or memory of the articles I edited for the *Arkansas Law Review*.

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.

In 2017, I was appointed by Governor Asa Hutchinson to serve on the Uniform Law Commission. The Uniform Law Commission (ULC), also known as the National Conference of Commissioners on Uniform State Laws, promotes the principle of uniformity by drafting and proposing specific statutes in areas of the law where uniformity between the states is desirable. It is comprised of state commissioners appointed by state governments from each state, the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. Each proposed uniform act is put to a vote of the states, during which each state votes as a unit. Notable uniform acts include the Uniform Commercial Code, the Uniform Probate Code, and the Uniform Child Custody Jurisdiction and Enforcement Act. Since being appointed to the ULC, I have served on three committees: (1) Drafting Committee Pretrial Release and Detention Act; (2) Study Committee on Election Law; and (3) Study Committee on Trade Secrets. Uniform acts can be found at <http://uniformlaws.org/acts/catalog/current>.

Under Arkansas law, Arkansas ULC commissioners are required to provide a report to the Governor each year. Reports enclosed. Apart from these annual reports, to the best of my knowledge, I have not prepared or contributed to any reports, memoranda, or policy statements relating to my involvement with the ULC, or otherwise.

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.

Under Arkansas law, Prosecuting Attorneys have a statutory duty to serve as legal counsel to each county quorum court in their district. As a result, as Prosecuting Attorney and as a Deputy Prosecuting Attorney from 2017 through 2024, I occasionally acted as legal counsel to the Union County Quorum Court and sat in on their monthly meetings. Meeting minutes supplied of the meetings at which I appeared and provided legal guidance to the Union County Quorum Court.

Additionally, I was appointed to the El Dorado Parks and Playgrounds Commission and served from 2014 to 2017. Meeting minutes supplied of meetings that I attended.

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.

January 1, 2025: Remarks, Swearing in ceremony, Union County Courthouse, El Dorado, Arkansas. Remarks supplied.

August 8, 2024: Speaker, South Arkansas College welcome dinner, First Baptist Church, El Dorado, Arkansas. Remarks supplied.

May 30, 2024: Keynote, The Sports Alley/El Dorado News-Times Scholar Athlete Awards Banquet, College Avenue Church of Christ, El Dorado, Arkansas. Remarks and press coverage supplied.

January 8, 2024: Speaker, Union County Republican Committee Meeting, Simmons Bank Building, El Dorado, Arkansas. I was invited to speak about my candidacy for Circuit Judge. I have no notes, transcripts, or recordings. The address of the Union County Republican Committee is 100 West Grove Street, El Dorado, Arkansas 71730.

August 9, 2023: Speaker, Murphy USA Classic announcement luncheon, Murphy Arts District, El Dorado, Arkansas. Remarks and press coverage supplied.

December 15, 2022: Speaker, Retirement ceremony for Circuit Judge Hamilton Singleton, El Dorado, Arkansas. I have no notes, transcript, or recording. Press coverage supplied.

August 9, 2022: Speaker, Murphy USA Classic announcement luncheon, Murphy Arts District, El Dorado, Arkansas. Remarks and press coverage supplied.

August 31, 2021: Presenter, “2021 Report from the Uniform Law Commission,” Union County Bar Association, El Dorado, Arkansas. Presentation supplied.

June 17, 2021: Co-Presenter, “2021 Report from the Uniform Law Commission,” Arkansas Bar Association Annual Meeting, Hot Springs, Arkansas. Presentation supplied.

June 11, 2020: Co-Presenter, “2020 Report from the Uniform Law Commission,” Arkansas Bar Association Annual Meeting via Zoom. Presentation supplied.

July 25, 2019: Speaker, Murphy USA Classic announcement luncheon, Murphy Arts District, El Dorado, Arkansas. Remarks and press coverage supplied.

May 17, 2019: Speaker, El Dorado Promise – Selective College Summit, First Financial Bank, El Dorado, Arkansas. Remarks supplied.

October 10, 2018: Speaker, Fordyce Rotary Club, Fordyce, Arkansas. I spoke about my duties as Prosecuting Attorney. I have no notes, transcript, or recording. The address of the Fordyce Rotary Club is 201 North Clifton Street, Fordyce, Arkansas 71742.

August 4, 2018: Master of Ceremonies, Union County Sports Hall of Fame Induction Banquet, El Dorado Conference Center, El Dorado, Arkansas. Remarks supplied.

June 28, 2018: Presenter, “Criminal Law Update – 91st General Assembly,” Pulaski County Bar Association, El Dorado Conference Center, El Dorado, Arkansas. Presentation supplied.

February 21, 2018 (Estimated): Speaker, Estate planning basics, Union County Retired Teachers Association, El Dorado, Arkansas. Remarks supplied.

September 19, 2017: Speaker, Murphy USA Classic announcement luncheon, El Dorado Golf & Country Club, El Dorado, Arkansas. Remarks and press coverage supplied.

July 29, 2017: Master of Ceremonies, Union County Sports Hall of Fame Induction Banquet, El Dorado Conference Center, El Dorado, Arkansas. Remarks supplied.

May 8, 2017: Keynote, Barton Junior High School Sports Banquet, El Dorado, Arkansas. Remarks supplied.

August 8, 2016: Master of Ceremonies, Murphy USA Classic announcement luncheon, El Dorado Conference Center, El Dorado, Arkansas. Remarks supplied.

October 21, 2015: Speaker, Fellowship of Christian Athletes – Fields of Faith, Memorial Stadium, El Dorado, Arkansas. Remarks and press coverage supplied.

March 25, 2015: Presenter, “An Architectural History of El Dorado, Arkansas,” Kiwanis Club of El Dorado, Arkansas, First Presbyterian Church, El Dorado, Arkansas. Presentation and press coverage supplied.

February 8, 2015: Presenter, “An Architectural History of El Dorado, Arkansas,” Union County Genealogical Society, Barton Library, El Dorado, Arkansas. Presentation supplied.

May 27, 2014: Master of Ceremonies, Union County Bar Association Law Day Luncheon, El Dorado Conference Center, El Dorado, Arkansas. I served as Law Day Chair for the Union County Bar Association. Former Attorney General Alberto Gonzales was the keynote speaker. Remarks and press coverage supplied.

May 8, 2014: Speaker, Union County Bar Association Law Day, El Dorado High School, El Dorado, Arkansas. I spoke to students at El Dorado High School for Law Day. I have no notes, transcript, or recording. The address of El Dorado High School is 2000 Wildcat Drive, El Dorado, Arkansas 71730.

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.

Kayla Rupp, Siloam Springs Athletic Director Jeff Williams to retire in June, return to basics, River Valley Democrat-Gazette, June 1, 2025. Copy supplied.

John Thomas Shepherd is sworn in, and his family gives their New Year's resolution. KTVE/KARD, Jan. 2, 2025. Copy of article supplied and video available at <https://www.myarklamiss.com/news/john-thomas-shepherd-is-sworn-in-and-his-family-gives-their-new-years-resolution/>.

SAU back in Murphy USA Classic again, Banner-News, Aug. 23, 2023. Copy supplied.

Neal Earley, Rep. Shepherd re-elected to 3rd term as Speaker, Arkansas Democrat-Gazette/El Dorado News-Times, Jan. 10, 2023. Copy supplied.

SAU, OBU to meet in 13th Murphy USA Classic, Banner-News, August 17, 2022. Copy supplied. |

Caitlan Butler, County offering employees \$635 bonus to get vaccinated, El Dorado News-Times, Mar. 27, 2022. Copy supplied.

Stephen Simpson, Slaying suspect killed by deputy in southern Arkansas, Arkansas Democrat-Gazette, Nov. 22, 2018. Copy supplied.

Man convicted in Fordyce woman's death set free, Arkansas Democrat-Gazette. Sept. 20, 2018. Copy supplied.

Linda Satter, *Man imprisoned in Arkansas for 26 years freed after murder conviction overturned*, Arkansas Democrat-Gazette. Sept. 19, 2018. Copy supplied.

Linda Satter, *Decision to retry convict up in air after judge threw out '92 Arkansas murder case*, Arkansas Democrat-Gazette. Sept. 11, 2018. Copy supplied.

Linda Satter, *Judge: Release or retry man in '88 rape, killing*, Arkansas Democrat-Gazette. Aug. 24, 2018. Copy supplied.

Kaitlyn Rigdon, *El Dorado man sentenced to life in prison*, El Dorado News-Times, Mar. 1, 2018. Copy supplied.

Bradly Gill, *Judge orders Arkansas man's body be exhumed in fake will case*, Arkansas Democrat-Gazette, Feb. 24, 2018. Copy supplied.

Bradly Gill, *Body in will dispute case to be exhumed*, El Dorado News-Times, Feb. 23, 2018. Copy supplied.

Patric Flannigan, *Union County man arrested in connection with drugs, counterfeit money, guns in Ouachita County*, El Dorado News-Times, Nov. 28, 2017. Copy supplied.

Janice McIntyre, *John Thomas Shepherd sworn in as new prosecutor*, El Dorado News-Times, Sept. 13, 2017. Copy supplied.

Tomorrow's Leaders, Riceowls.com, Sept. 17, 2009. Copy of article supplied and available at https://riceowls.com/news/2009/9/17/john_thomas_shepherd.

Adam Zuvanich, *Quarterback competition still unsettled as Owls face Raiders*, Lubbock Avalanche-Journal, Sept. 12, 2009. Copy supplied.

Meghan Hall and Jonathan Meyers, *Rice Football 2009: After best season in a generation, Owls bring plethora of questions in search of postseason repeat*, Rice Thresher, Sept. 3, 2009. Copy of article supplied and available at <https://www.ricethresher.org/article/29c760a4-ff33-4666-9777-b9fed8266f71>.

Jeffrey Martin, *Rice quarterback Shepherd pulling double duty*, Houston Chronicle, Sept. 4, 2009. Copy supplied and available at <https://www.chron.com/sports/rice/article/Rice-quarterback-Shepherd-pulling-double-duty-1741134.php>.

Tony Burns, *Shepherd will share starting quarterback duty*, El Dorado News-Times, Sept. 3, 2009. Copy supplied.

MoiseKapenda Bower, *The Grand Experiment*, Riceowls.com, Sept. 2, 2009. Copy supplied and available at https://riceowls.com/news/2009/9/2/The_Grand_Experiment.

Having been around the block, JT Shepherd stands at the ready, The Rice Football Webletter, August 31, 2009. Copy supplied.

Sam Kahn, Jr., *Rice QB battle narrowed down to Fanuzzi and Shepherd*, Houston Chronicle, August 21, 2009. Copy supplied and available at https://www.chron.com/sports/rice/article/Rice-QB-battle-narrowed-down-to-Fanuzzi-and1737611.php?utm_campaign=premiumchron&utm_source=sitesearch&utm_medium=result.

Sam Kahn, Jr., *Rice gets good first glance*, Houston Chronicle, August 16, 2009. Copy supplied.

August 13, 2009: While a student athlete at Rice University, I was interviewed by media following practice on August 13, 2009. My remarks are available on YouTube at <https://www.youtube.com/watch?v=xPynUonPkW8>.

Sam Kahn, Jr., *Rice's three QBs make cases to succeed Clement*, Houston Chronicle, Aug. 12, 2009. Copy supplied and available at <https://www.chron.com/sports/rice/article/Rice-s-three-QBs-make-cases-to-succeed-Clement-1735845.php>.

MoiseKapenda Bower, *The Last Hurrah*, Riceowls.com, July 15, 2009. Copy supplied and available at https://riceowls.com/news/2009/7/15/The_Last_Hurrah

Tony Burns, *Shepherd has full plate at Rice*, El Dorado News-Times, Oct. 14, 2008. Copy supplied.

Tony Burns, *Despite changes, Shepherd still cooking at Rice*, El Dorado News-Times, Aug. 13, 2007. Copy supplied.

Tony Burns, *Shepherd helps Rice to New Orleans Bowl*, El Dorado News-Times, Dec. 20, 2006. Copy supplied.

Tony Burns, *Rice QB gets bum rap from video game*, El Dorado News-Times, July 29, 2006. Copy supplied.

Tony Burns, *Shepherd cracks collarbone in scrimmage*, El Dorado News-Times, Aug. 25, 2005. Copy supplied.

EHS Class President says teachers were his role models, El Dorado News-Times, May 16, 2005. Copy supplied.

Kev Moye, *Payne, Shepherd sign letters of intent*, El Dorado News-Times, Feb. 3, 2005. 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.

Thirteenth Judicial Circuit
Circuit Judge, Division Four (2025 – Present)
Elected

I was unopposed in the March 2024 Nonpartisan, General Election and sworn in on January 1, 2025. I am currently running for re-election and will be unopposed in the March 2026 Nonpartisan General Election.

The Circuit Courts are the courts of general jurisdiction in the State of Arkansas. The Thirteenth Judicial Circuit has jurisdiction over civil, criminal, domestic relations, juvenile, and probate cases in a six-county area. The six counties are Calhoun, Cleveland, Columbia, Dallas, Ouachita, and Union. I presently preside over criminal cases in Calhoun, Ouachita, and Union counties, including the Union County Drug Court. I presently preside over civil cases in Calhoun, Cleveland, Columbia, Ouachita, and Union counties. I presently preside over probate cases in Calhoun County.

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

I have presided over approximately 31 cases that have gone to verdict or judgment.

i. Of these cases, approximately what percent were:

jury trials:	13%
bench trials:	87%

ii. Of these cases, approximately what percent were:

civil proceedings:	58%
criminal proceedings:	42%

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

As a state court judge, my trial court judgments and orders are not reported or published in Westlaw or Lexis. I estimate that since becoming a judge on January 1, 2025, I have issued approximately 1,000 unreported, unpublished judgments or orders. I have one trial court order available on Westlaw:

Credit Acceptance Corp. v. Anderson, No. 14CV-22-64, 2025 WL 597126 (Ark. Cir. Ct. Jan. 24, 2025) (summary judgment in collection case).

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).

1. Anthony Timberlands, Inc. v. Pennsylvania Lumbermens Mutual Insurance Company, Ouachita County Circuit Court, Case No. 52CV-24-190. Summary judgment order supplied.

In this matter, Anthony Timberlands, Inc. (“ATI”) filed suit seeking relief for breach of contract as well as a declaratory judgment that Pennsylvania Lumbermens Mutual Insurance Company (“PLM”) was obligated to defend and indemnify ATI in an environmental contamination lawsuit filed against ATI. Each party filed a Motion for Summary Judgment regarding PLM’s duty to defend ATI in the underlying lawsuit. The ultimate question centered on a pollution exclusion contained in the insurance policy issued by PLM to ATI. I granted Summary Judgment in favor of ATI. I determined that the pollution exclusion was ambiguous and, therefore, the policy should be construed liberally in favor of ATI and strictly against PLM. My decision was based on Arkansas Supreme Court precedent interpreting the same or similar pollution exclusions. Ultimately, I held that there was a possibility that the damage asserted in the underlying contamination lawsuit could fall within the policy coverage. This matter is still pending in my court regarding PLM’s duty to indemnify.

Plaintiff’s Counsel:

John P. Talbot
Mitchell, Williams, Selig, Gates & Woodyard, PLLC
425 West Capitol Avenue, Suite 1800
Little Rock, AR 72201
(501) 688-8800

Defense Counsel:

Debbie S. Denton
Anderson, Murphy & Hopkins, LLP
101 River Bluff Drive, Suite A
Little Rock, AR 72202
(501) 372-1887

Greta A. Matzen
Nicolaides, Fink, Thorpe, Michaelides, Sullivan LLP

600 17th Street, Suite 2700S
Denver, CO 80202
(312) 585-1400

2. Null, as Personal Representative of the Estate of William Null, and on Behalf of the Wrongful Death Beneficiaries of William Null v. Summit Health & Rehabilitation, LLC D/B/A Summit Health and Rehab Center; and Lane, Administrator, Columbia County Circuit Court, Case No. 14CV-22-147. Order supplied.

This matter is a negligence and medical malpractice action brought against a nursing home. The nursing home filed a motion to compel arbitration pursuant to an arbitration agreement purportedly entered into by the decedent at the time he was admitted to the nursing home. However, numerous fact questions were raised regarding the entry of a resident authorization as well as entry of the arbitration agreement itself. As a result, a jury trial was held on June 5-6, 2025, to resolve the fact questions. The jury unanimously found that the decedent did not have the mental capacity to enter into the resident authorization which defendant was attempting to utilize in an effort to bind the decedent's estate to the arbitration agreement. Such finding by the jury necessitated that I deny the motion to compel arbitration. This matter is currently set for a jury trial.

Plaintiff's Counsel:

Benton Gann
Bailey & Galyen
2200 Brookwood Drive, Suite 100
Little Rock, AR 72202
(870) 299-0658

Defense Counsel:

Timothy McDonald
Zach A. Musgraves
1277 E. Joyce Boulevard, Suite 300
Fayetteville, AR 72703-5585
(479) 973-4200

3. Checkered Flag Properties v. Fletcher, Cleveland County Circuit Court, Case No. 13CV-24-9. Judgment supplied.

This matter relates to a dispute as to ownership and access to an approximate quarter of an acre tract of land in Cleveland County, Arkansas. Checkered Flag Properties filed suit seeking an injunction to bar Steven Fletcher from interfering and trespassing on the disputed property. Fletcher filed an Answer and Counterclaim asserting alternative theories that he acquired title to the disputed property by acquiescence, obtained a

prescriptive easement through his continued use of the gravel driveway which runs through the disputed property, or acquired title to the disputed property through adverse possession. A bench trial was held on October 24, 2025. I took the matter under advisement and ultimately issued a final decision. I held that Fletcher did not prove adverse possession of the disputed property, however, there was sufficient evidence to show that Fletcher had acquired an easement by necessity. I was the presiding judge in this matter and issued the judgment.

Plaintiff's Counsel:

R. Victor Harper
717 South Lincoln Avenue
Star City, AR 71667
(870) 628-4118

Defense Counsel:

Terry F. Wynne
415 W. 6th Avenue, Suite A
Pine Bluff, AR 71601
(870) 619-4832

4. State of Arkansas v. Olvey, Calhoun County Circuit Court,
Case No. 07CR-24-44. Sentencing order not yet available.

This case was an appeal from Arkansas district court wherein Olvey was convicted of Aiding/Abetting a Game & Fish Violation. More specifically, Olvey was alleged to have been hunting turkey over bait with his minor child. This violation is significant in Arkansas as it can result in the suspension of an individual's hunting license. In his appeal to circuit court, Olvey requested a trial by jury. A jury trial was held on July 17, 2025. The parties agreed to a six-person jury. The jury found Olvey not guilty. Since 2025, I presided over all proceedings in this case, including pre-trial hearings and the jury trial.

Counsel for the State:

Tiffany Nutt Parker
Deputy Prosecuting Attorney
309 Main Street
Fordyce, AR 71742
(870) 352-3650

Defense Counsel:

Eugene D. Bramblett
P.O. Box 97

Camden, AR 71711
(870) 836-4222

5. State of Arkansas v. Penny, Ouachita County Circuit Court,
Case No. 52CR-23-138. Sentencing order supplied.

This was a probation revocation case. On March 14, 2024, Penny pleaded guilty to Aggravated Assault, a Class D felony, and was sentenced to a term of probation of five years. On July 11, 2024, Penny was arrested on new charges, including Domestic Battery Third Degree and Possession of a Firearm by Certain Person, a Class B felony. The State sought to revoke Penny's probation based on the new arrest as well as other violations of his conditions of probation, including failing to report as directed and failing to appear in court. A bench trial was held on October 9, 2025. At the conclusion of the trial, I granted the State's Petition and sentenced Penny to six years in the Arkansas Department of Correction, the statutory maximum.

Counsel for the State:

Michael W. Frey
Deputy Prosecuting Attorney
325 Jefferson SW
P.O. Box 715
Camden, AR 71711-0715
(870) 836-0481

Defense Counsel:

Andrew W. Best
Deputy Public Defender
202 North Washington, Suite 202
El Dorado, AR 71730
(870) 639-3453

6. State of Arkansas v. Howard, Ouachita County Circuit Court,
Case No. 52CR-24-274 and 52CR-24-275. Sentencing orders supplied.

In Case No. 52CR-24-274, Howard was charged with Solicitation to Rape, a Class A felony. In Case No. 52CR-24-275, Howard was charged with Sexual Assault in the Second Degree, a Class B felony. Both cases related to Howard's alleged sexual abuse of his minor children. On May 8, 2025, Howard pleaded guilty in each case and was sentenced to 25 years in the Arkansas Department of Correction as to Case No. 274 and 15 years in the Arkansas Department of Correction as to Case No. 275. Since 2025, I presided over all proceedings in this case, including pre-trial hearings and sentencing. I imposed the sentence pursuant to the plea agreement entered into between the parties.

Counsel for the State:

Michael W. Frey
Deputy Prosecuting Attorney
325 Jefferson SW
P.O. Box 715
Camden, AR 71711-0715
(870) 836-0481

Defense Counsel:

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El Dorado, AR 71730
(870) 639-3453

7. State of Arkansas v. Herron, Ouachita County Circuit Court, Case No. 52CR-23-321. Sentencing Order supplied.

Herron was charged with Aggravated Robbery, a Class Y felony, relating to the armed robbery of a liquor store. A jury trial was held on April 29, 2025, and Herron was convicted by a jury of Aggravated Robbery and sentenced by the jury to 12 years in the Arkansas Department of Correction. Since 2025, I presided over all proceedings in this case, including pre-trial hearings and the jury trial. I imposed the sentence in accordance with the jury's recommendation. This case is currently on appeal to the Arkansas Court of Appeals in Case No. CR-25-677.

Counsel for the State:

Michael W. Frey
Deputy Prosecuting Attorney
325 Jefferson SW
P.O. Box 715
Camden, AR 71711-0715
(870) 836-0481

Defense Counsel:

Andrew W. Best
Deputy Public Defender
202 North Washington, Suite 202
El Dorado, AR 71730
(870) 639-3453

8. State of Arkansas v. Cunningham, Ouachita County Circuit Court,
Case No. 52CR-24-255. Sentencing order supplied.

Cunningham was charged with Murder in the First Degree, a Class Y felony, and Felon in Possession of a Firearm, a Class B felony, relating to the shooting death of Jontavion Higgs. On November 13, 2025, Cunningham pleaded guilty to a reduced charge of Manslaughter, along with a firearm enhancement, and was sentenced to 30 years in the Arkansas Department of Correction. Since 2025, I presided over all proceedings in this case, including pre-trial hearings and sentencing. I imposed the sentence pursuant to the plea agreement entered into between the parties.

Counsel for the State:

Michael W. Frey
Deputy Prosecuting Attorney
325 Jefferson SW
P.O. Box 715
Camden, AR 71711-0715
(870) 836-0481

Defense Counsel:

James W. Wyatt
Montgomery Wyatt Hardy, PLC
308 East 8th Street
Little Rock, AR 72202
(501) 371-9816

9. State of Arkansas v. Beavers, Union County Circuit Court,
Case No. 70CR-24-307. Sentencing order supplied.

Beavers was charged with Computer Exploitation of a Child First Degree, a Class Y felony; Computer Child Pornography, a Class B felony; and Pander/Possess Material Depicting Sexually Explicit Conduct Involving a Child, a Class C felony. Beavers was accused of sending child pornography to a 13-year-old as well as receiving child pornography from the same minor. On September 2, 2025, Beavers pleaded guilty to Computer Child Pornography and Pander/Possess Material Depicting Sexually Explicit Conduct Involving a Child and was sentenced to 30 years in the Arkansas Department of Correction. Since 2025, I presided over all proceedings in this case, including pre-trial hearings and sentencing. I imposed the sentence pursuant to the plea agreement entered into between the parties.

Counsel for the State:

Randee B. Molsbee
Deputy Prosecuting Attorney

307 American Road, Suite 114
El Dorado, AR 71730
(870) 864-1960

Defense Counsel:

Tommy Reed
Deputy Public Defender
202 North Washington, Suite 202
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10. State of Arkansas v. Ronnie Peacock, Ouachita County Circuit Court,
Case No. 52CR-24-220. Sentencing order supplied.

Ronnie Peacock was charged with Rape, a Class Y felony, and Sexual Indecency with a Child, a Class D felony. Peacock was accused of raping a minor child who was friends with Peacock's children. On July 7, 2025, Peacock pleaded guilty and was sentenced to 25 years in the Arkansas Department of Correction. Since 2025, I presided over all proceedings in this case, including pre-trial hearings and sentencing. I imposed the sentence pursuant to the plea agreement entered into between the parties.

Counsel for the State:

Michael W. Frey
Deputy Prosecuting Attorney
325 Jefferson SW
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Camden, AR 71711-0715
(870) 836-0481

Defense Counsel:

Andrew W. Best
Deputy Public Defender
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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. Anthony Timberlands, Inc. v. Pennsylvania Lumbermens Mutual Insurance Company, Ouachita County Circuit Court, Case No. 52CV-24-190. Summary judgment supplied.

Plaintiff's Counsel:

John P. Talbot
Mitchell, Williams, Selig, Gates & Woodyard, PLLC
425 West Capitol Avenue, Suite 1800
Little Rock, AR 72201
(501) 688-8800

Defense Counsel:

Debbie S. Denton
Anderson, Murphy & Hopkins, LLP
101 River Bluff Drive, Suite A
Little Rock, AR 72202
(501) 372-1887

Greta A. Matzen
Nicolaides, Fink, Thorpe, Michaelides, Sullivan LLP
600 17th Street, Suite 2700S
Denver, CO 80202
(312) 585-1400

2. Checkered Flag Properties v. Steven Fletcher, Cleveland County Circuit Court, Case No. 13CV-24-9. Judgment supplied.

Plaintiff's Counsel:

R. Victor Harper
717 South Lincoln Avenue
Star City, AR 71667
(870) 628-4118

Defense Counsel:

Terry F. Wynne
415 W. 6th Avenue, Suite A
Pine Bluff, AR 71601
(870) 619-4832

3. James Smith, et al v. Stribling Equipment, LLC, Ouachita County Circuit Court, Case No. 52CV-23-3. Order supplied.

Plaintiff's Counsel:

David P. Price
P. O. Box 765
Magnolia, AR 71754
(870) 234-4781

Defense Counsel:

James D. Robertson
Barber Law Firm PLLC
425 West Capitol Avenue, Suite 3400
Little Rock, AR 72201
(501) 372-6175

4. Jennifer Waters v. George Betts, Ouachita County Circuit Court, Case No. 52CV-25-177. Order supplied.

Plaintiff's Counsel:

S.L. Smith
The Firm, PLLC
4137 John F. Kennedy Boulevard, Suite D
North Little Rock, AR 72116
(501) 429-4885

Defense Counsel:

Robert J. Stodola
Chris Stevens
Hall Booth Smith, P.C.
200 River Market Avenue, Suite 500
Little Rock, AR 72201
(501) 214-3499

5. Kerry Cockrell v. Heirs at Law of Stephen Redwine Cockrell, et al, Columbia County Circuit Court, Case No. 14CV-21-88. Order supplied.

Plaintiff's Counsel:

Brandon Haubert
WH Law
1 Riverfront Place, Suite 745
North Little Rock, AR 72114
(870) 537-9623

Joel Hutcheson
Hutcheson Law Firm, PLLC
P.O. Box 394
Magnolia, AR 71754
(870) 234-8542

Defense Counsel:

Steve R. Crane
Magnolia Law PLLC
Magnolia, AR 71754
(870) 234-4727

6. LaQonya Conner, et al v. Brad Stultz, et al, Columbia County Circuit Court, Case No. 14CV-23-178. Order supplied.

Plaintiff's Counsel:

David P. Price
P. O. Box 765
Magnolia, AR 71754
(870) 234-4781

Defense Counsel:

Nicholas D. Hornung
Wright, Lindsey & Jennings LLP
200 West Capitol Avenue, Suite 2300
Little Rock, AR 72201
(501) 371-0808

7. Robert Rushton Hurley, Guardian v. Frank Selman, Columbia County Circuit Court, Case No. 14CV-23-244. Order Denying Motion to Set Aside Default Judgment supplied.

Plaintiff's Counsel:

Eugene D. Bramblett
P.O. Box 97
Camden, AR 71711
(870) 836-4222

Defense Counsel:

Seth Haines
Bo Renner

RMP LLP
P.O. Box 1788
Fayetteville, Arkansas 72702
(479) 443-2705

8. Robert Rushton Hurley, Guardian v. Frank Selman, Columbia County Circuit Court, Case No. 14CV-23-244. Order Denying Motion for Summary Judgment supplied.

Plaintiff's Counsel:

Eugene D. Bramblett
P.O. Box 97
Camden, AR 71711
(870) 836-4222

Defense Counsel:

Seth Haines
Bo Renner
RMP LLP
P.O. Box 1788
Fayetteville, Arkansas 72702
(479) 443-2705

9. State of Arkansas v. Jeremiah Manning, Union County Circuit Court, Case No. 70CR-24-471. Order supplied.

Counsel for the State:

Randee B. Molsbee
Deputy Prosecuting Attorney
307 American Road, Suite 114
El Dorado, AR 71730
(870) 864-1960

Defense Counsel:

Tommy Reed
Deputy Public Defender
202 North Washington, Suite 202
El Dorado, AR 71730
(870) 639-3453

10. State of Arkansas v. Kellie Marie Thompson, Union County Circuit Court, Case No. 70CR-24-253. Judgment supplied.

Counsel for the State:

Randee B. Molsbee
Deputy Prosecuting Attorney
307 American Road, Suite 114
El Dorado, AR 71730
(870) 864-1960

Defense Counsel:

Gary McDonald
P.O. Box 157
Magnolia, AR 71754
(870) 904-5666

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

None.

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.

None.

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 state court judge, my trial court judgments and orders are not reported or published in Westlaw or Lexis. I estimate that since becoming a judge on January 1, 2025, I have issued approximately 1,000 unreported, unpublished judgments or orders. All of my decisions are publicly available on the Arkansas judiciary website:
<https://caseinfo.arcourts.gov/opad>.

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.

State of Arkansas v. Jeremiah Manning, Union County Circuit Court, Case No. 70CR-24-471. Order supplied.

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 never 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.

As an Arkansas state court judge, I have sought to comply with Rule 2 of the Arkansas Code of Judicial Conduct in determining whether disqualification or recusal is warranted in any case coming before me.

For calendar years 2026 and 2027, the judges of my judicial circuit unanimously approved an Administrative Order which includes a directive to clerks that cases filed by wife, her law firm, or my brother, will not be assigned to my court. In the event that my court is selected for a new filing in a case where my wife, her law firm, or my brother, files an answer, the clerks are instructed to use our district's general recusal process so that the case will be assigned to another judge.

I have recused myself *sua sponte* in well over 100 cases since taking the bench. I have recused in every criminal case that I handled while with the Prosecuting Attorney's Office, including those cases which came before me as probation or suspended sentence revocation cases. I have recused in every case in which my wife's law firm, my brother, or my brother-in-law's law firm were representing a party. I have recused in every case in which a former client of mine, or a former client of my law firm were a party to the case.

Additionally, there are numerous other cases in which I have disclosed on the record, information that I believed the parties or their lawyers might reasonably consider relevant to a possible motion for disqualification, even if I believed there was no basis for disqualification. See Comment 5 to Rule 2.11 of the Arkansas Code of Judicial Conduct.

My recusal has been requested in only one case: State of Arkansas v. Kahari Harris, Union County Circuit Court (Case No. 70CR-23-7). This was a Capital Murder case in which the defense filed a motion asserting that I should recuse based on the following reasons: (1) I previously served as Chief Deputy Prosecuting Attorney; (2) it was told to defense counsel that I would serve as co-counsel at trial in this matter; and (3) I previously stood in for the deputy prosecuting attorney who was assigned to this case. The defense asserted that such reasons formed a basis to reasonably question my impartiality in the case. I reviewed the record to investigate the factual assertions included in the motion for recusal. I also, as stated above, consulted the Code of Judicial Conduct as well as the comments and case law relating to such rules. In my order I explained that I never held the title of Chief Deputy Prosecuting Attorney. Additionally, I was not involved in the review and charging decision in this case, nor was I ever involved in the handling of this case. Further, I had not been requested to appear as co-counsel at the trial of the case nor did I plan to do so. Upon a review of the pleadings and filings in the case, my name did not appear. Nevertheless, I did review my personal calendar for 2024 and it did appear that on June 18, 2024, I stood in for the deputy prosecuting attorney handling this case for the sole purpose of merely continuing the case to a later date. This case was one of numerous others that I handled on that date, as I stood in for this deputy prosecuting attorney in a regularly scheduled docket call in which numerous other cases were either resolved or continued to another date. Out of an abundance of caution, I did recuse myself for the sole reason that I did actually make a court appearance in the case.

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.

Prosecuting Attorney for the Thirteenth Judicial District (2017 – 2019); El Dorado, Arkansas; I was appointed by Governor Asa Hutchinson to fill the remainder of an unexpired term.

El Dorado Parks and Playgrounds Commission (2014 – 2017); El Dorado, Arkansas; I was appointed by the El Dorado City Council.

- 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.

Union County Republican Committee (2015 – 2016)

Volunteer, Matthew Shepherd for State Representative (2010)

I volunteered for my brother, Matthew J. Shepherd, in his first campaign for the Arkansas House of Representatives in 2010. Additionally, I volunteered for other federal, state, and local Republican candidates in the 2010 election, including Senator John Boozman. My brother won the 2010 election and has since stood for re-election in 2012, 2014, 2016, 2018, 2020, 2022, and 2024. I occasionally volunteered or assisted him in some of these races, with the exception of 2024. In 2023 and 2024, I was either a candidate for judicial office or had already been elected to judicial office and was prohibited from political activity pursuant to ethical rules.

El Dorado (Arkansas) High School Teenage Republicans (2001 – 2005)
President (2004 – 2005)

Throughout my time as a member of the EHS Teenage Republicans, I volunteered for federal, state, and local Republican candidates.

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 not served as a clerk to a judge.

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

I have not practiced law 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;

2013 – 2016

Matthew J. Shepherd, P.A.

200 North Jefferson Avenue, Suite 600

El Dorado, Arkansas 71730

Attorney

2016 – 2024

Thirteenth Judicial District Prosecuting Attorney's Office

307 American Road, Suite 114

El Dorado, Arkansas 71730

Deputy Prosecuting Attorney (Part-time) (2019 – 2024)

Prosecuting Attorney (Part-time) (2017 – 2019)

Deputy Prosecuting Attorney (Part-time) (2016 – 2017)

2016 – 2024
Law Offices Shepherd & Shepherd, P.A.
200 North Jefferson Avenue, Suite 600
El Dorado, Arkansas 71730
Partner

2025 – Present
Circuit Judge, Thirteenth Judicial Circuit, Division Four
Union County Courthouse
101 North Washington, Suite 205
El Dorado, Arkansas 71730

- 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 in alternative dispute resolution proceedings.

b. Describe:

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

I am currently an elected Circuit Judge for the Thirteenth Judicial District of the State of Arkansas and began service on January 1, 2025. However, I previously was in private law practice from 2013 through 2024. I practiced law with my brother, Matthew J. Shepherd, an Arkansas State Representative and former Speaker of the Arkansas House of Representatives. My private law practice was of a general nature in which I handled federal and state civil litigation, commercial transactions, business formations, oil & gas, real estate, and probate. Representative clients included individuals, non-profit corporations, small businesses, banks, school districts, and large corporations. I also practiced federal and state criminal defense prior to joining the Prosecuting Attorney's Office on a part-time basis in November 2016.

In addition to my private practice, I served as a part-time Deputy Prosecuting Attorney for the Thirteenth Judicial District of the State of Arkansas from 2016 through 2017 and from 2019 through 2024. In 2017, I was appointed by Governor Asa Hutchinson to serve as Prosecuting Attorney for the Thirteenth Judicial District where I oversaw all criminal prosecutions in the Thirteenth Judicial District, comprised of Calhoun, Cleveland, Columbia, Dallas, Ouachita, and Union counties. Arkansas law prohibited me from running for election for Prosecuting Attorney

following my appointment and so I returned to the office as a part-time Deputy Prosecuting Attorney in 2019. As Prosecuting Attorney and as Deputy Prosecuting Attorney, I personally handled felony cases from filing decision to jury trial or other adjudication, including homicides and other violent felonies, major drug cases, and white-collar criminal offenses. Additionally, I handled civil asset forfeiture cases, reviewed referrals from Legislative Audit, and served as legal counsel to the Union County Quorum Court.

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

In my private practice from 2013 through 2024, representative clients included individuals, non-profit corporations, small businesses, banks, school districts, and large corporations.

As a prosecutor, I prosecuted cases for the State of Arkansas.

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

I would estimate that litigation comprised 50% of my practice. When I was in practice, I would appear in court multiple times per week. As an attorney in private practice, and as a Deputy Prosecuting Attorney and Prosecuting Attorney, I would appear in court frequently for hearings, oral arguments, and trials.

- i. Indicate the percentage of your practice in:

1. federal courts:	<5%
2. state courts of record:	93%
3. other courts:	<1%
4. administrative agencies:	<1%

- ii. Indicate the percentage of your practice in:

1. civil proceedings:	50%
2. criminal proceedings:	50%

- 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 estimate that I have tried 34 cases to verdict. Four of those cases were jury trials; the others were bench trials. All of my jury trials were criminal cases. I served as lead counsel in all four jury trials. I served as sole or lead counsel in all bench trials.

i. What percentage of these trials were:

1.	jury:	12%
2.	non-jury:	88%

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 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. Akins, et al. v. Arkansas Gravel Co., Inc., et al., Calhoun County Circuit Court (07CV-22-11); Horizon Capital Partners, LLLP v. Arkansas Gravel Co., Inc., et al. (07CV-22-49); and Southall, et al. v. Arkansas Gravel Co., Inc., et al. (07CV-22-50) (Representation: 2021 – 2024)

I served as co-counsel representing 26 plaintiffs, which included individuals, a limited liability company, and a limited liability limited partnership, in these companion tort cases. The lawsuits arose out of the rupture of an anhydrous ammonia pipeline in Calhoun County, Arkansas. An employee of Defendant Arkansas Gravel, operating an excavator in the pipeline right-of-way, struck the pipeline causing the release of a large, dense cloud of anhydrous ammonia. The release of anhydrous ammonia caused a massive evacuation of the area and resulted in significant damage to plaintiffs' real and personal property, most notably hundreds of acres of commercial timber. The lawsuit alleged negligence, trespass, and strict liability. These cases were litigated extensively until a global settlement agreement was reached and the cases were dismissed in April 2025. These cases were heard by Circuit Judge Spencer G. Singleton.

Co-counsel:

Matthew J. Shepherd

Matthew J. Shepherd, P.A. (formerly Law Offices Shepherd & Shepherd, P.A.)

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Samuel E. Ledbetter

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Phillip A. Stone

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Opposing counsel:

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G. Alan Perkins

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Stephen A. Hester

Spicer Rudstrum, PLLC

425 West Capitol Avenue, Suite 3175

Little Rock, AR 72201

(501) 537-0845

Tiffany Parker Nutt
Nutt Law Firm, PLLC
309 Main Street
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2. State of Arkansas v. Kesee, Union County Circuit Court (70CR-22-358) (Representation: 2022 – 2024)

I served as the sole prosecutor in this case. On August 6, 2022, law enforcement was dispatched to an apartment in El Dorado, Arkansas, in reference to an unresponsive male. Officers ultimately discovered Rainey deceased, on the floor of his apartment with a gunshot wound to his abdomen. Officers also discovered a handgun lying on the floor beside Rainey. A short time later, Kesee arrived at the El Dorado Police Department where he made a spontaneous statement that “[he] didn’t mean to kill him.” Later, Kesee waived his *Miranda* rights and agreed to be interviewed by law enforcement. Kesee stated that a group of people were drinking near the apartment when Rainey appeared acting angry and pointing a gun at Kesee. Kesee stated that Rainey then left the group and headed towards his apartment. Kesee followed Rainey but stayed outside the apartment building. When Rainey arrived at the top of the steps, Kesee stated that Rainey again pointed his gun at him. Kesee stated that he pulled out his gun and fired twice at Rainey through the front door of the apartment building. An eyewitness provided a similar account. Kesee was ultimately charged with Murder in the First Degree, a Class Y felony, with a child present enhancement, as well as Terroristic Act, a Class Y felony, with a firearm enhancement. Prior to trial, Kesee filed a motion to reduce bond. I filed the written response to the motion and argued the motion in a hearing before the court. The motion was denied and Kesee pleaded guilty to an amended charge of Murder in the Second Degree, a Class A felony, and Terroristic Act, and was sentenced to 30 years in the Arkansas Department of Correction pursuant to the plea agreement. This case was heard by Circuit Judge Jim F. Andrews, Jr.

Co-counsel:

None.

Opposing counsel:

Alex M. Morphis
James Law Firm
1001 LaHarpe Boulevard
Little Rock, AR 72201
(501) 375-0900

3. Williamson, Cupp, McAdams, v. Hill, Union County Circuit Court (70CV-22-437) (Representation: 2022 – 2024)

Williamson, Cupp, McAdams, and Hill, were members in JMW Holdings LLC, an Arkansas limited liability company. The sole asset of the LLC was a commercial building in which the LLC leased office space to business tenants. I filed suit on behalf of Williams, Cupp, and McAdams against Hill asserting that he breached fiduciary duties when he failed to disclose a potential buyer of the commercial property and when he took other actions on behalf of the LLC without authorization. Plaintiffs alleged that Hill's actions caused them to suffer damages relating to the lost opportunity of a potential sale. Hill filed a separate lawsuit against JMW Holdings LLC which was ultimately resolved. Extensive discovery was conducted and then each party filed a motion for summary judgment. The court ultimately granted my motion for summary judgment. After losing on summary judgment, Hill retained new counsel who filed a motion for reconsideration. The parties ultimately agreed to settle and dismiss the case. I served as lead counsel in this case on behalf of the Plaintiffs. This case was heard by Circuit Judge Spencer G. Singleton.

Co-counsel:

Matthew J. Shepherd

Matthew J. Shepherd, P.A. (formerly Law Offices Shepherd & Shepherd, P.A.)

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El Dorado, AR 71730

(870) 862-2087

Opposing counsel:

Paul E. Lindsey

Harrell & Lindsey, P.A.

P.O. Box K

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4. Adams Land Company v. Ozark Fluid Power, Inc.; Ozark Fluid Power, Inc. v. Systems Plant Services, Inc., et al., Mississippi County Circuit Court (47BCV-21-

52) (Representation: 2023 – 2024)

I served as lead counsel representing a third-party defendant, Systems Plant Services, Inc., in this case involving claims of breach of contract, breach of warranties, and negligence. This lawsuit arose out of a dispute as to work performed to upgrade a cotton gin in the Arkansas delta. The cotton gin owner filed suit against the contractor hired to perform the upgrades. Plaintiff sought damages in excess of \$1,000,000. The defendant-contractor filed a third-party complaint against my client, a subcontractor, seeking indemnity and contribution. After extensive discovery, the parties settled all claims and the case was dismissed. This case was heard by Circuit Judge Richard Lusby.

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Opposing counsel:

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5. RATS Entertainment Park, LLC v. Rogers Land & Timber, LLC, et al, Calhoun County Circuit Court (07CV-22-5) (Representation: 2022 – 2024)

I served as co-counsel in representing RATS Entertainment Park, LLC, in the circuit court and on appeal. RATS operates a 1,800-acre ATV park in rural Calhoun County. As a part of its operations, it utilized a road which ran across land owned by Rogers Land & Timber, LLC, and Rogers. The defendants put up gates to prevent RATS from utilizing such road and RATS filed suit. The circuit court held a bench trial. At trial, RATS argued that the road at issue was a public road or, alternatively, that it had an easement. The defendants argued that such road was private and, as a result, RATS was trespassing upon their property. Following the bench trial, the circuit court ruled that the road was not a public road and that RATS had no easement over the road. RATS appealed to the Arkansas Court of Appeals. The court of appeals found that the circuit court was not clearly erroneous and affirmed the trial court. RATS Entertainment Park, LLC v. Rogers Land & Timber, LLC, et al., 2024 Ark. App. 10. This case was heard by Circuit Judge Spencer G. Singleton.

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6. State of Arkansas v. Wayne, Union County Circuit Court (70CR-21-330)
(Representation: 2021 – 2023)

I served as lead prosecutor in this drug trafficking case and served as lead counsel at trial. Law enforcement discovered over 13 pounds of methamphetamine and over two pounds of cocaine on the back porch of Wayne's residence. Wayne, the sole occupant of the residence, denied knowledge of the illegal drugs when interviewed by law enforcement. Ultimately, Wayne was charged with two counts of Trafficking a Controlled Substance, a Class Y felony, as well as Maintaining a Drug Premises, a Class C felony. After a jury trial, the jury found Wayne guilty on all counts and the jury sentenced her to 10 years in the Arkansas Department of Correction on each count. This case was heard by Circuit Judge Jim F. Andrews, Jr.

Co-counsel:

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7. State of Arkansas v. Riley, Union County Circuit Court (70CR-21-501)
(Representation: 2021 – 2023)

I served as lead prosecutor in this case and served as lead counsel at trial. Riley and Williams were involved in an altercation at a mutual friend's residence. The altercation led to Riley shooting Williams eight times. Williams died at the scene. Riley fled the scene but later turned himself into law enforcement. Riley was interviewed by law enforcement and claimed that Williams had been threatening him in the days and weeks leading up to the incident and that he shot Williams in self-defense. The mutual friend, and sole eyewitness, stated that Riley was the initial aggressor. Riley was ultimately charged with Murder in the First Degree, a Class Y felony, along with a firearm enhancement, and Felon in Possession of a Firearm, a Class B felony. The court granted Riley's request for a self-defense jury instruction and the jury found Riley not guilty of Murder in the First Degree. However, the jury found Riley guilty of Felon in Possession of a Firearm. The jury did not sentence Riley to imprisonment for Felon in Possession of a Firearm but fined him in the amount of \$10,000. This case was heard by Circuit Judge Spencer G. Singleton.

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8. Mounts, et al. v. Allianz Life Insurance Company of North America and Teresa James, Ouachita County Circuit Court (52CV-18-154)
(Representation: 2018 – 2023)

I served as co-counsel in representing James in the circuit court and on appeal. Rocconi and James were divorced in April 2017, and Rocconi died shortly thereafter. At the time of Rocconi's death, James was still listed as the beneficiary on Rocconi's life insurance policy with Allianz Life Insurance Company of North America. There was evidence that Rocconi had attempted to remove James as the beneficiary, however, such attempts were

not successful as they were not in compliance with Allianz's policies. Rocconi's surviving children filed this lawsuit to prevent James from collecting the insurance proceeds. The circuit court held a bench trial and ruled that Rocconi had substantially complied with the policy and, as a result, Rocconi's children were entitled to the insurance proceeds. James appealed to the Arkansas Court of Appeals. The court of appeals reversed the trial court and found that James was entitled to the insurance proceeds. James v. Mounts, 2022 Ark. App. 158. On review, the Arkansas Supreme Court vacated the court of appeals decision and affirmed the trial court. James v. Mounts, 2023 Ark. 53. This case was heard by Circuit Judge David F. Guthrie.

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9. State of Arkansas v. Guenther, Cleveland County Circuit Court (13CR-16-2) and State of Arkansas v. Brown, Cleveland County Circuit Court (13CR-16-5) (Representation: 2017)

Brown and Jonathan Guenther were accomplices of Brad Hunter Smith in the murder of Allbright, who was five months pregnant at the time of her death. Smith, believing that Allbright was pregnant with his child, conspired with Brown and Guenther to commit the murder. Brown lured Allbright to an isolated field, where Smith shot her in the back with a crossbow, before Smith hit Allbright in the head with a baseball bat. All three participated in burying Allbright's body in a shallow grave. Brown ultimately confessed to law enforcement which led to his arrest and the arrests of Smith and Guenther. Smith was tried and convicted of Capital Murder. Brown and Guenther both testified on behalf

of the State during Smith's trial. After his truthful testimony, Brown pleaded guilty to Murder in the First Degree, Kidnapping, and Abuse of Corpse and was sentenced to 20 years in the Arkansas Department of Correction. Guenther also pleaded guilty to Murder in the First Degree, Kidnapping, and Abuse of Corpse and was sentenced to 30 years in the Arkansas Department of Correction. I served as the lead prosecutor in the Brown and Guenther cases following the conclusion of the Smith trial. Circuit Judge David Talley presided over these cases.

Co-Counsel:

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Opposing counsel:

Robert Jeffrey (now deceased)
Public Defender for Joshua Brown

Teri Chambers
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10. Systems Spray-Cooled, Inc. v. FCH Tech, LLC, et al., United States District Court for the Western District of Arkansas (1:16-cv-01085-SOH)
(Representation: 2016 – 2017)

I served as co-counsel in this case on behalf of Systems Spray-Cooled, Inc. ("SSC"). SSC is in the business of water-cooling industrial equipment, such as electric arc furnaces. While many companies provide high pressure water-cooled solutions, SSC provides low pressure spray-cooled solutions. SSC owns this low-pressure spray-cooled technology, including patents, trade secrets, know-how, and other intellectual property. The individual Defendants were former SSC employees who were privy to SSC's intellectual property, left employment with SSC, and then attempted to compete with SSC. SSC filed suit in the United States District Court for the Western District of Arkansas asserting, among other causes of action, violations of the federal Defend Trade Secrets Act of 2016 and the Arkansas Trade Secrets Act, as well as breach of contract. Prior to trial, SSC filed a Motion for Default Judgment, or Alternatively, an Adverse Inference, alleging that the Defendants committed spoliation of electronic stored information ("ESI"). In granting the motion, the district court found that the Defendants destroyed the ESI in bad faith and concluded that the imposition of an adverse inference was warranted. The district court later granted in part and denied in part SSC's Motion for Preliminary Injunction.

Subsequently, the parties entered into a Consent Judgment and Agreed Injunction. This case was heard by United States District Judge Susan O. Hickey.

Co-counsel:

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

When I was sworn in as a Circuit Judge on January 1, 2025, my judicial division had a 20% clearance rate in civil cases and a 60% clearance rate in criminal cases. There was a large backlog in open cases still pending despite being concluded. Due to the hard work of myself and my trial court assistant, as of the last quarterly report, we had a 300% clearance rate in civil cases and nearly a 100% clearance rate in criminal cases.

Additionally, in Arkansas, the Prosecuting Attorney is the chief law enforcement officer within each judicial district. In that position, I oversaw all criminal prosecutions in the Thirteenth Judicial District, comprised of Calhoun, Cleveland, Columbia, Dallas, Ouachita, and Union counties. I supervised 11 deputy prosecutors and 8 support staff and managed appropriations from each county, as well as federal and state grants. I advised and assisted local, state, and federal law enforcement agencies in ongoing investigations.

As Prosecuting Attorney, I served as the Administrator and Chair of the Thirteenth Judicial District Drug Task Force Board of Directors. The DTF coordinates with local, state, and federal law enforcement agencies in efforts to combat drug trafficking throughout the Thirteenth Judicial District.

As Prosecuting Attorney, I was also responsible for reviewing all referrals from the Arkansas Legislative Joint Auditing Committee. In that role I worked with counties, municipalities, and other public entities to resolve audit findings and, when necessary, pursue criminal charges.

I have never acted or registered as a lobbyist.

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 state court judge, I vest in the Arkansas Judicial Retirement System (“AJRS”) upon eight years of service and I will be eligible for early retirement at age 62 or normal retirement at age 65. If I leave my position prior to vesting, I have the option of receiving back my contributions subject to taxes. Alternatively, I can apply my time and contributions in AJRS towards my pension with the Arkansas Public Employees’ Retirement System (“APERS”). As a former Prosecuting Attorney and Deputy Prosecuting Attorney, I am vested in APERS and I am eligible for early retirement at age 62 and normal retirement at age 65. I am vested in my former law firm’s retirement plan, and I am eligible for retirement at age 65.

Throughout 2025, I have received sporadic income from my previous law firm, Law Offices Shepherd & Shepherd, P.A. This income related to legal work which I performed prior to becoming a judge but which payment was not made until after I took the bench. While possible, at this time I do not expect any additional payments.

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).

When my nomination is formally submitted to the Senate, I will file my mandated Financial Disclosure Report and supply a copy to this Committee.

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.

I do not have any financial arrangements that may present potential conflicts of interest. If confirmed, I will recuse myself in all cases where I have played a role. I will also recuse myself in all cases in which my wife, her law firm, my brother, my brother's law firm, my brother-in-law, or my brother-in-law's law firm represents a party. Additionally, I will evaluate any other real or potential conflict, or relationship that could give rise to the appearance of a conflict, on a case by case basis and determine appropriate action with the advice of parties and their counsel 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 by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances.

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.

While a practicing attorney, I provided pro bono legal services to various charitable and non-profit organizations, including but not limited to the following: The Boys & Girls Club of El Dorado, Inc.; El Dorado Habitat for Humanity, Inc.; First Baptist Church of El Dorado; and the SHARE Foundation Golf Tournament Committee. These organizations provide care and services to the disadvantaged.

Additionally, as a general practitioner in the small town where I was born and raised, over the course of my career as a practicing attorney, I have had the great honor to provide discounted or pro bono legal services to numerous disadvantaged individuals in my community, particularly in the following areas: collections, landlord/tenant, estate planning, real estate, probate, civil, and domestic relations matters.

Finally, I served as a Criminal Justice Act Panel Attorney in the United States District Court Western District of Arkansas. As a CJA Panel attorney, I was appointed to represent indigent defendants in criminal cases ensuring their right to legal counsel under the Sixth Amendment.

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.

My jurisdiction does not have a selection committee.

In early August 2025, I communicated to Senator John Boozman and Senator Tom Cotton my interest in a potential vacancy in the United States District Court for the Western District of Arkansas. On August 26, 2025, I spoke with Senator Tom Cotton's office, and was requested to submit my resume regarding a potential vacancy. On September 29, 2025, I interviewed with attorneys from the White House Counsel's Office at the Eisenhower Executive Office Building. Since then, I have been in contact with the

White House Counsel's Office and with officials from the Office of Legal Policy at the Department of Justice. On November 12, 2025, President Trump called to inform me that I would be the nominee if a vacancy arose.

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, John Thomas Shepherd, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

January 7, 2026

(DATE)

JTS

(NAME)

Jennifer Rhodes

(NOTARY)

