

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Erik Sean Siebert

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

United States Attorney, Eastern District of Virginia, U.S. Department of Justice

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 Attorney's Office for the Eastern District of Virginia
919 East Main Street
Richmond, Virginia 23219

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

1979; Tulsa, Oklahoma

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

University of Richmond, 2006-2009
J.D. – May 2009

Virginia Military Institute, 1997-2001
B.A. – May 2001

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.

August 2010 - Present
United States Attorney's Office for the Eastern District of Virginia
Interim United States Attorney, January 2025-Present

Deputy Criminal Supervisor, Richmond Division, September 2019 – January
2025

Assistant United States Attorney, Richmond Division, August 2010 – September
2019

919 East Main Street
Richmond, Virginia 23219

August 2009 – August 2010

Law Clerk

The Honorable Henry E. Hudson, United States District Judge
Spottswood W. Robinson, III and Robert R. Mehri, Jr. Federal Courthouse
701 East Broad Street
Richmond, Virginia 23219

May 2009 – August 2009

Bar Exam Preparatory Course Representative

BarBri of Virginia

1150 18th Street, Northwest
Washington, D.C. 20036

May 2008 – July 2008

Law Student Intern (Unpaid)

Office of the Commonwealth's Attorney for the City of Richmond

John Marshall Courts Building

400 North 9th Street, Room 100

Richmond, Virginia 23219

July 2007 – August 2007

Law Student Summer Associate

Spotts Fain, PC

411 East Franklin Street, Suite 600

Richmond, Virginia 23219

May 2007 – July 2007

Law Student Intern (Unpaid)

Office of the Commonwealth's Attorney for the City of Richmond

John Marshall Courts Building

400 North 9th Street, Room 100

Richmond, Virginia 23219

May 2002 – August 2006

Police Officer

Metropolitan Police Department, Washington D.C.

300 Indiana Avenue

Washington, D.C. 20001

August 2001 – May 2002
Security Officer
Intercon Security (United States Department of State)
210 South De Lacey Avenue
Washington, D.C. 20001

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

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

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

High Intensity Drug Trafficking Area (HIDTA), Washington/Baltimore Region, Award for Outstanding Community Impact Investigation, 2024

Organized Crime Drug Enforcement Task Force, Mid-Atlantic Region, Case of the Year Award, Operation Brother's Grimm, 2018

Drug Enforcement Administration, Certificate of Appreciation for Outstanding Contributions in the Field of Law Enforcement, 2015

University of Richmond, J.D., conferred cum laude, 2009

University of Richmond Law School Negotiation Competition, Team Winner, 2009

Metropolitan Police Department, Washington D.C, Unit Citation-Seventh District/Police Service Area 706, 2005

Metropolitan Police Department, Washington D.C., Top Gun Award for Top Marksman in Recruit Class, 2002

Virginia Military Institute, B.A. with distinction honors in History, 2001

Eagle Scout, Boy Scouts of America, 1996

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.

Virginia Bar Association

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.

Virginia, November 2009.

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 Fourth Circuit (May 2010)

United States District Court for the Eastern District of Virginia (March 2010)

United States District Court for the Western District of Virginia (March 2010)

All state courts in Virginia (November 2009)

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.

Virginia Military Institute, Keydet Club, Board of Governors (September 2020-January 2025)

Member of the Nomination Committee (September 2020-January 2025)

Keydet Club representative to the Virginia Military Institute Alumni

Association Audit Committee (September 2022-January 2025)

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

To my knowledge, this organization does not discriminate or formerly discriminate 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.

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

Commentary, *The Process is the Problem: Lessons Learned from United States Drug Sentencing Reform*, 44 U. Rich. L. Rev. 867, (2010). Copy attached.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify any reports, memoranda, or policy statements I have prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. I have found none.

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

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. I have found none.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes

from which you spoke.

I have done my best to identify any transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. As an Assistant United States Attorney, I have occasionally provided remarks to law enforcement groups or participated in training sessions. During those remarks or trainings, I spoke without notes or spoke from a handwritten outline. I did not retain most of the handwritten outlines. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

As Interim United States Attorney, on January 31, 2025, I spoke to newly barred attorneys about the United States Attorney's Office as part of a Federal Bar Association event at the Albert V. Bryan United States Courthouse, 401 Courthouse Square, Alexandria, Virginia. The event occurred inside a courtroom and was not recorded nor covered by the press. Copy of outline attached.

As Interim United States Attorney, on February 19, 2025, I spoke to a delegation of judges from the Kingdom of Saudi Arabia about the United States federal court system and the role of the United States Attorney's Office. The event occurred inside the United States Attorney's Office, Alexandria Division, 2100 Jamieson Avenue, Alexandria, Virginia, was not open to the public, and was not recorded. The event was sponsored and arranged by the United States Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training in collaboration with the Kingdom of Saudi Arabia Judicial Studies Institute. My talk to the Saudi delegation was part of a series of visits the delegation made to hear from federal judges, the National Archives, the Federal Judicial Center, and the United States Supreme Court. Copy of outline attached.

As an Assistant United States Attorney, I gave a PowerPoint Presentation to local law enforcement for training purposes in 2023-2024. This training covered multiple topics related to federal narcotics investigations and prosecutions. From my best knowledge and recollection, this training occurred at the Henrico County Police Department's "Advanced Narcotics School" on January 30, 2023, and the Richmond Police Department on March 26, 2024. From my understanding, this routine training was not recorded and not covered by the press. Copy of PowerPoint Presentation attached.

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

I have done my best to identify any interviews I have given, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been

unable to identify, find, or remember. I have found the following:

Press Conference

FBI Northern Virginia Resident Agency Field Office
9325 Discovery Boulevard Manassas, Virginia 20109
March 27, 2025

As Interim United States Attorney, I participated in a press conference related to the arrest of MS-13 leader, Henry Villatoro Santos, and the Virginia Homeland Security Task Force with Attorney General Pamela Bondi, Virginia Governor Glenn Youngkin, FBI Director Kash Patel, and numerous other law enforcement officials. This press conference was reported on widely by numerous media outlets. There is a video of the press conference found here:

<https://www.justice.gov/opa/video/justice-department-announces-arrest-ms-13-leader>

Press Releases: The press releases that I issued during my time as Interim United States Attorney from January 20, 2025 through present can be found at:

<https://www.justice.gov/usao-edva/pr> and at the <https://x.com/edvanews> social media account.

Press Statements: I have issued four press statements in my official capacity as Interim United States Attorney from January 20, 2025, to present, not included in press releases, on the “U.S. Attorney EDVA” X social media account, located at <https://x.com/edvanews>:

On February 22, 2025, I issued a statement on the death of two Virginia Beach Police Department officers who were killed in the line of duty. Copy attached.

On March 22, 2025, I issued a statement on the death of my predecessor United States Attorney for the Eastern District of Virginia Jessica Aber. Copy attached.

On March 27, 2025, I thanked Attorney General Pamela Bondi, Governor Glenn Youngkin, FBI Director Kash Patel, and federal and state partners for visiting the Eastern District of Virginia to announce the arrest of a high-ranking MS-13 leader as part of the Virginia Homeland Security Task Force. Copy attached.

On April 8, 2025, I issued a statement thanking the Fairfax County Police Department for a tour of the officer Health and Wellness Center and Wellfit program. Copy attached.

13. Public Office, Political Activities and Affiliations:

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

elective office or unsuccessful nominations for appointed office.

I have not run for public office.

I have held the following appointed positions at the United States Department of Justice:

Interim United States Attorney, January 2025 to present. I was appointed by Acting Attorney General James R. McHenry, III.

- 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 not held a position or played a formal role in a political campaign.

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

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

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

From August 2009 – August 2010, I served as a law clerk for the Honorable Henry E. Hudson, United States District Judge, Eastern District of Virginia, Richmond Division.

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

I have not practiced alone.

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

August 2010-Present

United States Attorney's Office for the Eastern District of Virginia

Interim United States Attorney, January 2025-Present

Deputy Criminal Supervisor, Richmond Division, September 2019
– January 2025

Assistant United States Attorney, Richmond Division, August
2010 – September 2019

919 East Main Street

Richmond, Virginia 23219

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

I have not served as a mediator or arbitrator.

- v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

I have not held any judicial office.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.
- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

In 2009, I served as a law clerk for United States District Court Judge Henry E. Hudson, where my work included participating in court proceedings, reviewing and drafting civil and criminal opinions, conducting legal research, and advising Judge Hudson on a variety of legal matters.

In 2010, I became an Assistant United States Attorney representing the United States of America in criminal matters. The nature of my legal practice as an Assistant United States Attorney focused entirely on the investigation and prosecution of a wide range of federal crimes, to include international and domestic drug trafficking, violent crimes, illegal firearm possession, fraud, child exploitation, money laundering, public corruption, and immigration. In these matters, I was responsible for all phases of prosecutions, including grand jury investigations, plea negotiations, indictments, pre-trial motions, trials, sentencings, post-trial proceedings, and appeals. I have also served as the District's Lead Task Force Attorney for the Organized Crime and Drug Enforcement Task Force (OCDETF) and lead prosecutor for the Richmond Division's Violent Crime Initiative, which focused on prosecuting violent crime in the City of Richmond.

In 2019, I became the Deputy Criminal Supervisor for the United States Attorney's Office, Richmond Division, where my work involved the supervision and management of criminal Assistant United States Attorneys,

to include case intake, approval of charges and plea agreements, interviewing applicants, strategizing and coordinating efforts with local, state, and federal law enforcement partners, and employee performance evaluations. In this supervisory role, I managed hundreds of cases in the Richmond Division, specifically related to murder, robbery, drug trafficking, illegal firearm possession, and other violent crimes. From 2021-2024, I served as the United States Attorney's Office representative for the National Public Safety Partnership (PSP) in the City of Richmond, a three-year Department of Justice program designed to increase federal support for selected local police departments to enhance public safety. As a supervisor, I continued to investigate and prosecute my own federal criminal cases, focusing primarily on large scale narcotics investigations.

In January 2025, I was appointed as Interim United States Attorney for the Eastern District of Virginia, where the nature of my practice shifted entirely to management, supervision, and leading the office. In this Interim United States Attorney's role, my focus is on all types of federal litigation, involving both criminal and civil matters. Although I no longer actively prosecute criminal cases, I regularly make decisions regarding significant cases, prioritize the enforcement of federal criminal laws and civil statutes, meet with law enforcement partners, and represent the office publicly.

My client, throughout my career, has been the United States of America.

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

As an Assistant United States Attorney and Deputy Criminal Supervisor, my practice involved 100% litigation in federal courts and involved weekly appearances in court.

- i. Indicate the percentage of your practice in:
- | | |
|-----------------------------|-------------|
| 1. federal courts: | <u>100%</u> |
| 2. state courts of record: | <u>0%</u> |
| 3. other courts: | <u>0%</u> |
| 4. administrative agencies: | <u>0%</u> |
- ii. Indicate the percentage of your practice in:
- | | |
|--------------------------|-------------|
| 1. civil proceedings: | <u>0%</u> |
| 2. criminal proceedings: | <u>100%</u> |

- 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 have handled over 100 federal cases to conclusion, to include five jury trials, one bench trial, and five appellate arguments before the United States Court of Appeals for the Fourth Circuit. In the majority of my cases, I served as lead prosecutor and sole counsel. For the cases that went to trial, I served as lead prosecutor in all but one.

- i. What percentage of these trials were:
 - 1. jury: 95%
 - 2. non-jury: 5%

- 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 argued orally before the Supreme Court.

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

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

1. United States v. Max Alberto Estrada-Linares, et al.; United States v. Portillo-Ruano, et al.

Case No. 3:16cr67; 3:19cr18

United States District Court for the Eastern District of Virginia

The Honorable Henry E. Hudson

2014-2021

I was lead counsel in the investigation and prosecution of two cases targeting a large-scale Central American drug trafficking organization, involving defendants in case 3:16cr67: Max Alberto Estrada-Linares, Edgar Antoino Quinonez-Salazar, Paulo Cesar Montenegro-Arevalo, Brayan Alexander Gramajo-Jolomna, Elkin Perez-Amezquita (fugitive), Marco Andrea Lombana-Moreno (deceased); and in case 3:19cr18: Edi Donaldo Barrera-Salguero, Luis Pedro Fuentes-Amaya, Alexander

Morena-Ramirez (fugitive), Amilcar Chavez-Barrera, and Javier Portillo-Ruano (fugitive), Elder Manuel Rodriguez-Morales (fugitive). As part of this multi-year investigation, which involved dozens of wiretaps and cooperating informants, we identified the Estrada-Linares Drug Trafficking Organization as a major drug distribution network transporting thousands of kilograms cocaine from Costa Rica, through Central America, to the United States using ground, aerial, and maritime routes.

In my role as lead prosecutor, I applied for and obtained wiretaps on target phones, obtained indictments for all defendants, applied for and obtained extradition of the defendants, facilitated plea agreements for each defendant, prepared all briefs, and handled the sentencing hearing for every defendant.

At sentencing, in case 3:16cr67, the Court imposed 282 months imprisonment for Estrada-Linares; 300 months imprisonment for Quinonez-Salazar; 210 months imprisonment for Montenegro-Arevalo; and 210 months imprisonment for Gramajo-Jolomna. In case 3:19cr18, the Court imposed 210 months imprisonment for Barrera-Salguero; 192 months imprisonment for Fuentes-Amaya; and 172 months imprisonment for Chavez-Barrera.

Primary Co-Counsel:

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Reginald M. Barley
Reginald M. Barley, Attorney at Law
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The Honorable Ali J. Amirshahi
(Former defense attorney)
General District Court Judge for the Thirteenth Judicial District of Virginia
City of Richmond General District Court
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2. United States v. Fernando Josue Chang Monroy; Luis Fernando Garcia-Orellano; Willian Reyniery Medina-Escobar

Case Nos. 3:14cr75; 3:17cr15; and 3:16cr91
United States District Court for the Eastern District of Virginia
The Honorable Henry E. Hudson
2012-2017

I served as lead counsel in the investigation and prosecution of three related cases utilizing United States registered aircraft to transport large amounts of cocaine in Central and South America, involving defendant Fernando Josue Chang Monroy, Luis Fernando Garcia-Orellano, and Willin Reyniery Medina-Escobar. As part of this multi-year investigation, which involved numerous wiretaps and cooperating informants, we identified Garcia-Orellano as an aircraft broker and money launderer based in the United States, who purchased aircraft on behalf of drug traffickers, to include Chang Monroy, who were tied to large scale Central American drug trafficking organizations. After purchasing the aircraft, Garcia-Orellano sent the aircraft to Guatemala on behalf of Chang Monroy, who conspired with Honduran drug trafficking organizations to use the aircraft to transport thousands of kilograms cocaine from Venezuela to Honduras, for ultimate importation into the United States. Similarly, Medina-Escobar worked for a Honduran drug trafficking organization that received cocaine laden aircraft utilized by Chang Monroy to move cocaine from Venezuela to Honduras.

In my role as lead prosecutor, I applied for and obtained wiretaps on target phones, obtained indictments, applied for and obtained extraditions, and facilitated plea agreements for the respective defendants. Additionally, I prepared all briefs and handled the sentencing hearing for each defendant.

At sentencing, in case 3:14cr75, the Court imposed 262 months imprisonment for Chang Monroy; in case 3:17cr15, the Court imposed 240 months imprisonment for Garcia-Orellana; and in case 3:16cr91, the Court imposed a sentence of 240 months imprisonment for Medina-Escobar.

Primary Co-Counsel:

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Opposing Counsel:

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The Honorable Ali J. Amirshahi
(Former defense attorney)

General District Court Judge for the Thirteenth Judicial District of Virginia
City of Richmond General District Court
John Marshall Courts Building
400 North 9th Street
Richmond, Virginia 23219
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3. United States v. Travis Aaron Ball

Case No. 3:19cr128
438 F.Supp.3d 656 (E.D. Va. 2020), aff'd 18 F.4th 445 (4th Cir. 2021)
United States District Court for the Eastern District of Virginia
The Honorable Henry E. Hudson
2019-2020

I was lead counsel in the investigation and prosecution of Travis Aaron Ball, a convicted felon who possessed a firearm while committing the murder of Virginia State Police Special Agent Michael Walter. After receiving a 30-year sentence for the murder of Special Agent Walter in the City of Richmond Circuit Court, the United States Attorney's Office obtained Department of Justice approval to prosecute the defendant for his illegal possession of the firearm used in the murder.

In my role as lead prosecutor, I obtained an indictment for the defendant, facilitated a plea agreement, prepared all briefs, and handled the sentencing hearing.

At sentencing, the Court imposed a maximum sentence of 120 months imprisonment for possession of a firearm by a convicted felon, to run consecutive to his state murder conviction.

On appeal, I drafted and filed the response brief for the United States, which addressed the defendant's challenges to multiple motions to dismiss and the reasonableness of the sentence imposed. In a published opinion, the United States Court of Appeals for the Fourth Circuit affirmed the judgment of the District Court on all issues.

Primary Co-Counsel:

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Federal Public Defender
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(434) 220-3390

4. United States v. Cleveland Lamont Parson, et al.; United States v. Luis Alejandro Cruz-Mota, et al.

Case No. 3:23cr133; 3:23cr70
United States District Court for the Eastern District of Virginia
The Honorable Henry E. Hudson
2023-2024

I was the lead attorney in the investigation and prosecution of a large-scale cocaine trafficking conspiracy involving Central Virginia based drug distributors Cleveland Parson, Aaron Heath, Jerrell Bugg, Jose Reyes, Corrina Chavez, and Antonio Shaw in case 3:23cr133. In relation to this case, in 3:23cr70, I further prosecuted their sources of supply, Luis Alejandro Cruz-Mota, Antonio Flores Loyola, and Carlos Alfonso Gonzalez, who were United States based cocaine distributors for a large-scale Mexican drug trafficking organization.

In my role as lead prosecutor, I applied for and obtained wiretaps on target phones, obtained indictments, applied for and obtained extraditions, and facilitated plea agreements for the respective defendants. Additionally, I prepared all briefs and handled the sentencing hearing for each defendant.

At sentencing, in case 3:23cr133, the Court imposed 192 months imprisonment for Parson; 180 months imprisonment for Heath; 84 months imprisonment for Bugg; 135 months imprisonment for Reyes; 70 months imprisonment for Chavez; and 66 months imprisonment for Shaw. In case 3:23cr70, the Court imposed 186 months imprisonment for Cruz-Mota, 162 months for Flores-Loyola, and 120 months imprisonment for Gonzalez.

Primary Co-Counsel:

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(Former Assistant United States Attorney for the Eastern District of Virginia)
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United States Attorney's Office for the Northern District of Oklahoma

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5. United States v. Daymont Underwood

Case No. 3:16cr18
2016 WL 6406215 (E.D. Va. 2016), aff’d 726 Fed.Appx. 945 (4th Cir. 2018); 2021
WL 1784628 (E.D. Va. 2021)
United States District Court for the Eastern District of Virginia
The Honorable M. Hannah Lauck

2011-2021

I was sole counsel in the investigation and prosecution of Daymont Underwood, a convicted felon in possession of a firearm and drug trafficker. During a lawful traffic stop, Underwood possessed with the intent to distribute marijuana, resisted arrest, and possessed a loaded firearm.

In my role as lead prosecutor, I tried the case to verdict before a jury and handled the sentencing hearing. Based on Underwood's designation as a career offender, his obstructive and disrespectful behavior at trial, and his possession of the firearm in furtherance of a drug trafficking crime, the Court imposed 360 months imprisonment.

On appeal, I drafted and filed the response brief for the United States, which addressed the defendant's challenges to the denial of a motion to suppress, the denial of a motion for judgment of acquittal, the reasonableness of the sentence imposed, the defendant's right to self-representation, and a motion to dismiss for lack of jurisdiction. In an unpublished opinion, the United States Court of Appeals for the Fourth Circuit affirmed the judgment of the District Court on all issues.

Primary Co-Counsel: None

Opposing Counsel:

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6. United States v. Cameron Scott Bivens-Breeden

Case No. 3:14cr57

United States District Court for the Eastern District of Virginia

The Honorable John A. Gibney, Jr.

2014-2015

I was the lead counsel in the investigation and prosecution of Cameron Scott Bivens-Breeden for his production of child pornography and enticement of a minor, in relation to a sextortion involving multiple minor victims. As part of this investigation, we determined that the defendant posed as a juvenile female on social media and extorted over 38 minors into sexual conduct, while filming the sex acts online.

In my role as prosecutor, I interviewed minor victims, obtained an indictment for the defendant, facilitated a plea agreement, prepared all briefs, and handled the sentencing hearing. At sentencing, the Court imposed a sentence of 288 months imprisonment.

Primary Co-Counsel:

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Opposing Counsel:

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7. United States v. Samuel Mamudu

Case No. 3:13cr227
Aff’d 591 Fed.Appx. 222 (4th Cir. 2015); 2019 WL 1435827 (E.D. Va. 2019)
United States District Court for the Eastern District of Virginia
The Honorable Henry E. Hudson
2013-2019

I was the lead counsel in the investigation and prosecution of Samuel Mamudu for his role in the armed robbery of a jewelry store located within a Chesterfield County shopping mall.

In my role as lead prosecutor, I indicted the case, handled all briefing, tried the case to verdict before a jury, and handled the sentencing hearing. At sentencing, the Court imposed a sentence of 216 months imprisonment.

On appeal, I drafted and filed the response brief for the United States, which addressed the defendant’s challenge to the reasonableness of the sentence imposed. In an unpublished opinion, the United States Court of Appeals for the Fourth Circuit affirmed the judgment of the District Court.

Primary Co-Counsel:

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(804) 565-0855

The Honorable Elizabeth W. Hanes
(Former Assistant Federal Public Defender, Eastern District of Virginia)
United States District Judge, Eastern District of Virginia, Norfolk Division
Spottswood W. Robinson, III and Robert R. Mehri, Jr. Federal Courthouse
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8. United States v. Rodney Mitchell, et al.

Case No. 3:11cr286
2012 WL 2049944 (E.D. Va. 2012), aff'd 498 Fed.Appx. 339 (4th Cir. 2012)
United States District Court for the Eastern District of Virginia
The Honorable James R. Spencer
2011-2012

I was lead counsel in the investigation and prosecution of Rodney Mitchell and Sherrod Harris, who conspired to tamper with a federal witness associated with a pending federal drug trafficking case involving both defendants' brothers. As part of the witness tampering, Mitchell and Harris colluded with their brothers, who were pending trial, to locate and threaten a witness cooperating with federal authorities.

In my role as lead prosecutor, I brought an indictment charging both defendants, handled all briefs, tried the case involving Mitchell to verdict before a jury, facilitated a plea agreement for Harris, and handled the sentencing hearing for both defendants. At sentencing, the Court imposed 97 months imprisonment for Mitchell and 12 months imprisonment for Harris.

On appeal, I drafted and filed the response brief for the United States, which addressed the defendant's challenges to denial of a motion for a new trial and the denial of a motion for a continuance. In an unpublished opinion, the United States Court of Appeals for the Fourth Circuit affirmed the judgment of the District Court on all issues.

Primary Co-Counsel: None

Opposing Counsel:

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9. United States v. Cornelius Hayes

Case No. 3:12cr46
Aff’d 538 Fed.Appx. 255 (4th Cir. 2013)
United States District Court for the Eastern District of Virginia
The Honorable Henry E. Hudson
2012-2013

I was part of the investigation and prosecution of Cornelius Hayes, related to the murder of an individual at the McGuire Veterans Hospital in the City of Richmond. As part of this case, I assisted in the indictment, prepared briefs, participated in plea negotiations, and handled testimony by the victim’s family at sentencing. At sentencing, the Court imposed a life sentence for the defendant.

Primary Co-Counsel:

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Opposing Counsel:

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10. United States v. Cynthia Salamanca, et al

Case No. 3:11cr255

2014 WL 108899 (E.D. Va. 2014), dis appl 585 Fed.Appx. 264 (4th Cir. 2014); 571 Fed.Appx. 183 (4th Cir. 2014); 2016 WL 6093484 (E.D. Va. 2016)

United States District Court for the Eastern District of Virginia
The Honorable Henry E. Hudson
2010-2016

I was the lead counsel in the investigation and prosecution of Cynthia Salamanca, an individual who bribed a Virginia DMV employee, Roberto Lainez, to obtain Virginia driver's licenses with false names for illegal immigrants Manuel Alexander Saban Bedoya, Enoc Zuniga, Kenia Vanessa Gomez Mendez, and Benjamin Paz-Villalobos. Upon obtaining the Virginia driver's licenses, Salamanca further assisted several defendants in making false claims of United States citizenship in an effort to obtain United States passports.

In this public corruption case, I obtained an indictment, prepared briefs, facilitated plea agreements for each defendant, and handled the sentencing hearings. The Court imposed a sentence of 171 months imprisonment for Salamanca; a sentence of 46 months imprisonment for Lainez; a sentence of 3 months imprisonment for Mendez; a sentence of 5 months imprisonment for Saban Bedoya; a sentence of 6 months imprisonment for Zuniga; and a sentence of 6 months imprisonment for Paz-Villalobos.

Primary Co-Counsel: None

Opposing Counsel:

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

Within the United States Attorney's Office, I served for approximately two years as the Eastern District of Virginia (EDVA) Lead Task Force Attorney for the Organized Crime Drug Enforcement Task Force (OCDETF). In this position, I reviewed and approved all OCDETF proposals submitted within the district, which typically consisted of the largest international and domestic drug cases prosecuted in the EDVA. As the host of OCDETF case proposal meetings, I traveled monthly to all four EDVA offices to consult with prosecutors, federal agents, and local law enforcement officials. I also handled statistics related to the investigations and obtained OCDETF funding for various EDVA strategic initiatives. In 2018, I attended a National OCDETF conference and regularly consulted with EDVA management related to OCDETF matters.

From 2021 through 2024, I served as the EDVA representative to the National Public Safety Partnership (PSP), a Department of Justice program designed to enhance federal support to designated local police departments across the country to promote public safety. As EDVA's PSP representative, I attended monthly PSP meetings, strategized with the Richmond Police Department (RPD) command staff and federal law enforcement on violent crime strategies, conducted training for RPD officers, met with PSP support personnel for program implementation, and attended annual PSP conferences. Due to PSP's commitment to community engagement, I attended monthly RPD hosted events to include neighborhood meetings, community walks, and community stakeholder strategy sessions.

I have never served as a lobbyist or engaged in lobbying activities for any organization.

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

I have not taught any courses.

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

I have no arrangements in the future to be compensated for any financial or business interest.

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

None.

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

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

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

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

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

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

- 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, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

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

My entire professional career has been devoted to public service as a police officer and federal prosecutor. As a Department of Justice prosecutor, from 2010 to present, I have regularly served and assisted victims of crimes, ranging from the families of murder victims to exploited juveniles.

As previously noted, I voluntarily served from 2020 to 2025 on the Virginia Military Institute Keydet Club Board of Governors, a non-profit organization devoted to supporting student athletes at the Virginia Military Institute (VMI). In this role, I have mentored dozens of cadets and furthered the mission of the organization to provide financial support to student athletes. As a Board Governor, I served on the Nomination Committee, which facilitates new membership and nominates student athletes for club awards based on academic, military, and athletic achievement. Each year, I typically participate in approximately a dozen in person or virtual meetings. In addition to my

involvement in the Keydet Club, I have also mentored other young professionals who are interested in law enforcement, prosecution, and public service.

AFFIDAVIT

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

6/18/25
(DATE)

Erik S. Siebert
(NAME)



Rachel A. Dashoff
(NOTARY)