

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Sandra Jane Hairston

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

United States Attorney, Middle District of North Carolina

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: United States Attorney's Office
101 South Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401

Residence: Jamestown, North Carolina

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

1958; Danbury, North Carolina

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.

North Carolina Central University School of Law, 1984 - 1987
Juris Doctor – May 1987

University of North Carolina – Charlotte, 1977 - 1981
Bachelor of Arts, English – May 1981

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.

June 1996 - Present

Acting United States Attorney – March 1, 2021 – Present
Acting United States Attorney – January 14, 2017 – January 3, 2018
First Assistant United States Attorney – April 2014 – Present
Deputy Criminal Chief – April 2009 – April 2014
Assistant United States Attorney – June 1996 – April 2014
United States Attorney’s Office for the Middle District of North Carolina
101 South Edgeworth Street, 4th Floor, Greensboro, North Carolina 27401
Paid

August 2008 – December 2019
Adjunct Professor
Elon University School of Law
201 North Greene Street, Greensboro, NC 27401
Paid

April 1994 – June 1996
Chief, Criminal Division
United States Attorney’s Office for the Eastern District of North Carolina
150 Fayetteville Street, Suite 2100, Raleigh, North Carolina 27601
(Formerly located: 310 New Bern Avenue, Raleigh, North Carolina 27601)
Paid

October 1990 – April 1994
Assistant United States Attorney
United States Attorney’s Office for the Middle District of North Carolina
324 West Market Street, Greensboro, North Carolina 27401 (former address)
Paid

October 1989 – October 1990
Special Assistant District Attorney
Guilford County District Attorney’s Office
Guilford County Courthouse, High Point, North Carolina 27260
Paid

November 1987 – October 1989
Assistant District Attorney
Columbus County District Attorney’s Office
Columbus County Courthouse, Whiteville, North Carolina 28472
Paid

August 1987 – October 1987
Olsten Temporary Service – Clerk/Typist
P. O. Box 12877
Research Triangle Park, North Carolina 27709
Paid

May 1986 – July 1986
North Carolina Bar Association – Legislative Intern
8000 Weston Parkway
Cary, North Carolina 27513
Paid

May 1985 – August 1985
Popi Temporary Services – City of Winston-Salem Revenue Department
514 South Stratford Road
Winston-Salem, North Carolina 27103
Paid

June 1984 – August 1984
Norrell Temporary Service – Investor Relations Clerk
3535 Piedmont Road Northeast
Atlanta, Georgia 30305 (Address of Temporary Service)

700 Kenilworth Drive
Charlotte, North Carolina 28202
(Physical location of the employment – Duke Power Co.)

February 1984 – June 1984
Assistant Teacher
Charlotte-Mecklenberg School System
701 East 2nd Street
Charlotte, North Carolina 28202

October 1983 – February 1984
Action Personnel – ATM Tester IBM
1377 – B Garrison Blvd.
Gastonia, North Carolina 28053 (Personnel Company's Address)

August 1983 – September 1983
Action Personnel – Clerk ITT Finance
1377 – B Garrison Blvd.
Gastonia, North Carolina 28053 (Personnel Company's Address)

July 1982 – July 1983
Charlotte Academy/Kiddie Korner Day School – Pre-school Teacher
2241 Commonwealth Avenue
Charlotte, North Carolina 28205

June 1982 – July 1982
Action Personnel – Office Clerk
1377 – B Garrison Blvd.
Gastonia, North Carolina 28053 (Personnel Company's Address)

April 1982 – June 1982
Charlotte Mecklenberg School System – Substitute Teacher
701 East 2nd Street
Charlotte, North Carolina 28202

June 1981 – April 1982
Circuit City – Cashier
6100 Independence Blvd.
Charlotte, North Carolina 28212

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 am not subject to selective service registration requirements.

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.

Peter S. Gilchrist III Award, North Carolina Bar Association – Criminal Justice Section, 2015

Director's Award, Executive Office for United States Attorneys, Superior Performance, 2002

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.

North Carolina Bar Association
Justice Joseph Branch Inn of Court – Wake Forest University School of Law Chapter
Federal Bar Association – Middle District of North Carolina Chapter
Treasurer (October 2012 – October 2013) (approximate dates)
American College of Trial Lawyers
Federal Criminal Procedure Committee
North Carolina Association of Black Lawyers
Secretary (January 1994 – January 1996) (approximate dates)
National Institute of Trial Advocacy Faculty

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.

North Carolina, August 1987

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 (February 1991)
United States District Court for the Middle of North Carolina (October 1990)
United States District Court for the Eastern District of North Carolina (April 1994)
North Carolina State Courts (August 1987)

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.

University of North Carolina – Charlotte
Alumni Board (January 2000 – January 2001) (approximate dates)
Alpha Kappa Alpha Sorority, Inc. (member since 1978)
National Nominating Committee – (January 1981) (approximate date)

- 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, none of these organizations discriminates or formerly discriminated on the basis of race, 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 not authored any of the types of materials listed in this section.

- 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 not contributed to the preparation of reports, memoranda or policy statements for any bar association, committee, conference, or organization.

- 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 not presented testimony, official statements, or other communications relating to matters of public policy or legal interpretation, nor have I supplied such material to be presented on my behalf.

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

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. I frequently speak without notes or speak from a handwritten outline. I did not retain the majority of the handwritten outlines and have attached all that I could find. Unless otherwise specifically noted below, I was unable to locate copies, transcripts, recordings, press reports, outlines or notes of these events. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

North Carolina Bar Association – Continuing Legal Education Presentation
February 2019
North Carolina Bar Association
8000 Weston Parkway, Cary, North Carolina 27513
Criminal Law Update
Copy supplied

North Carolina Gang Investigators’ Conference
August 2017
Benton Convention Center, 301 West Fifth Street, Winston-Salem, North
Carolina 27101
I presented the welcoming remarks at the opening session of this conference. I did
not use prepared notes.

North Carolina Bar Association – Continuing Legal Education Presentation
December 2006
North Carolina Bar Association
8000 Weston Parkway, Cary, North Carolina 27513
Advanced Trial Evidence
Copy supplied

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

I have not given interviews to newspapers, magazines or other publications, or radio or television stations.

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.

- 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 am a member of the Democratic Party, but I have never held an office or

position in a political party.

I have never held an office or position with an elections committee.

I have never held a position or played a 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;

I have not clerked for a judge.

- 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.

November 1987 – October 1989

Assistant District Attorney

Columbus County District Attorney's Office

Columbus County Courthouse, Whiteville, North Carolina 28472

October 1989 – October 1990

Special Assistant District Attorney

Guilford County District Attorney's Office

Guilford County Courthouse, High Point, North Carolina 27260

October 1990 – April 1994

Assistant United States Attorney

United States Attorney's Office for the Middle District of North Carolina

324 West Market Street, Greensboro, North Carolina 27401

April 1994 – June 1996

Assistant United States Attorney, Chief, Criminal Division

United States Attorney's Office for the Eastern District of North Carolina

150 Fayetteville Street, Suite 2100, Raleigh, North Carolina 27601

(Formerly located: 310 New Bern Avenue, Raleigh, North Carolina 27601)

June 1996 - Present

Acting United States Attorney, March 1, 2021 – Present

Acting United States Attorney, January 14, 2017 – January 3, 2018
First Assistant United States Attorney, April 2014 – Present
Deputy Criminal Chief – April 2009, April 2014
Assistant United States Attorney, June 1996 – April 2014
United States Attorney’s Office for the Middle District of North Carolina
101 S. Edgeworth Street, 4th Floor, Greensboro, North Carolina 27401

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

I have not served as a mediator or arbitrator.

b. Describe:

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

I am a career prosecutor. I began my career in 1987 as a state court prosecutor in North Carolina. I became an Assistant United States Attorney in 1990. I am the First Assistant United States Attorney, and I am currently serving as the Acting United States Attorney for the Middle District of North Carolina.

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

When I was a state court prosecutor, my clients were the citizens of North Carolina. The United States Attorney’s Office for the Middle District of North Carolina represents the citizens of the United States. We prosecute violations of federal criminal law, and we represent the United States in civil matters filed against and on behalf of the United States in the Middle District of North Carolina.

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

- i. Indicate the percentage of your practice in:
 - 1. federal courts; 90%
 - 2. state courts of record; 10%
 - 3. other courts; 0%
 - 4. administrative agencies 0%

From 1987 until October 1990, I practiced in the courts of North Carolina as an Assistant District Attorney. As a State prosecutor, I litigated criminal

cases in the Superior and District courts of North Carolina on a daily basis. From 1989 to 1990, as a Special Assistant District Attorney, I appeared in Superior Courts in North Carolina approximately once per month. Since 1990, my entire practice has been in the federal courts in the Middle and Eastern Districts of North Carolina. My practice has been in litigation as a criminal prosecutor. From 1990 until 2017, I appeared in federal district court numerous times per week. I have also argued approximately 20 cases before the United States Court of Appeals for the Fourth Circuit. Since 2018, as First Assistant United States Attorney, I now appear in the U. S. District court several times per month to handle criminal cases.

- ii. Indicate the percentage of your practice in:
 - 1. civil proceedings; 10%
 - 2. criminal proceedings. 90%

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

I have tried approximately 50 criminal cases to verdict as a federal and state prosecutor. I have tried ninety-five (95) percent of my cases as lead counsel. In the remaining five (5) percent of the cases, I have served as co-counsel with one of my colleagues. I have tried two bench trials in federal court in thirty years: one criminal and one civil (asset forfeiture case).

- 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 practiced 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. Joey Dean Caldwell

Case No. 3:93CR77-1

United States District Court for the Middle District of North Carolina

The Honorable William L. Osteen

1993

Caldwell was charged in a thirty-nine-count indictment with multiple counts of mail and wire fraud, firearms offenses, obstruction of justice, and money laundering. The charges arose from an investigation of the murders of Mrs. Velia McEachern and her son, former County Commissioner, Mr. Maceo McEachern. Caldwell and his wife conspired to murder Maceo McEachern, Caldwell's business partner, in order to collect a \$2,000,000.00 key-man insurance policy. Caldwell was convicted on all counts after week-long trial. He faced thirty years in prison. He committed suicide in his jail cell the evening after the verdict was rendered. My co-counsel and I shared equally in supervising the pre-indictment investigation of this case. I examined numerous witnesses before the grand jury, and I conducted dozens of pre-trial witness interviews. During this trial, I conducted the direct examinations of numerous witnesses, and I handled the first closing argument. Mr. Glaser, my co-counsel, handled the rebuttal argument.

Co-counsel:

Richard S. Glaser (former Assistant U.S. Attorney)

Parker Poe

Three Wells Fargo Center

401 South Tryon Street

Charlotte, North Carolina 28202

704-335-9531

Opposing Counsel:

Larry Hewitt

Guthrie Davis Henderson and Staton

719 East Boulevard

Charlotte, North Carolina 28203

704-372-5600

2. United States v. David Scott Woodall

Case No. 1:01CR441

United States District Court for the Middle District of North Carolina
The Honorable William L. Osteen
2001

The Federal Bureau of Investigation led this investigation into the corrupt law enforcement activities of members of the Davidson County, North Carolina Sheriff's Office. The investigation revealed that detectives with the Drug Unit of the Sheriff's Office were involved in extortion, drug trafficking, armed robbery, and civil rights violations. Five officers were indicted, along with the supplier, in the Woodall indictment. All defendants in this case pleaded guilty. Another officer from a neighboring county was also indicted and charged with the illegal distribution of cocaine and steroids. He became a cooperating defendant in the Woodall case. Lead defendant, David Scott Woodall, was sentenced to 324 months in prison. I handled all matters relating to the prosecution of this case, to include, debriefing the main cooperating witness, reviewing and approving search warrant affidavits and affidavits in support to Criminal Complaints. I prepared the indictment and prosecution memorandum, and I presented witnesses to the grand jury in support of the indictment. None of the defendants charged elected to go to trial. I negotiated plea agreements for all of the defendants charged from this investigation, and I handled response briefs to direct appeals and responses to post-convictions motion filed in this case.

Opposing Counsel (Woodall):

Lisa S. Costner
952 West 4th Street
Winston-Salem, North Carolina 27101
336-682-0954

Lisa S. Costner (After July 19, 2021)
Federal Public Defender
Middle District of North Carolina
251 North Main Street, Suite 849
Winston-Salem, North Carolina 27701
336-631-5278

W. Eugene Metcalf
Metcalf Vrsecky & Beal
380 Knollwood Street, Suite 450
Winston-Salem, North Carolina 27103
336-777-0067

3. United States v. Oliver Hinds

Case No. 2:96CR148

United States District Court for the Middle District of North Carolina
The Honorable William L. Osteen
1996

Hinds and a codefendant were charged with arson, after an investigation by the ATF revealed they deliberately set fire to a 100-year-old church located in Guildford County, North Carolina. Hinds was convicted after a bench trial in U. S. District Court in the Middle District of North Carolina and subsequently sentenced to 30 months in prison. I handled the prosecution of this case at trial, to include the opening statement, the examination of witnesses and closing/rebuttal argument to the Court.

Opposing Counsel:

J. Douglas Henderson
Henderson & Henderson
4200 North Church Street
Greensboro, North Carolina 27455
336-288-0222

Walter Lamar Jones
Assistant District Attorney
Randolph County District Attorney's Office
176 East Salisbury Street
Asheboro, North Carolina 27203
336-328-3010

4. United States v. Steven Fowler

Case No. 1:99CR10-1

United States District Court for the Middle District of North Carolina
The Honorable Frank W. Bullock, Jr. (Retired)
1999

Fowler and two codefendants were charged in a single-count indictment with conspiracy to distribute cocaine base. Fowler and the codefendants were convicted at trial and held accountable for trafficking multiple kilograms of cocaine in the Durham, North Carolina area. Fowler was sentenced to a statutory mandatory term of life in prison. I oversaw the investigation of this case, and I handled the prosecution of this case at trial, to include the opening statement, direct examination of witnesses, and closing/rebuttal argument.

Opposing Counsel:

Bryan Gates
Attorney at Law
102 West Third Street, Suite 475
Winston-Salem, North Carolina 27101
336-724-0082

5. United States v. John L. Brower

Case No. 1:02CR21-1

United States District Court for the Middle District of North Carolina
The Honorable William L. Osteen
2002

Brower was charged by indictment with distribution of cocaine base. After trial by jury, he was convicted as charged and subsequently sentenced to life in prison. Brower's conviction was affirmed by published opinion: United States v. Brower, 336 F.3d 274 (4th Cir. 2003). I handled the prosecution of this case at trial, to include opening statement, direction examination of witnesses, and closing/rebuttal argument.

Opposing Counsel:

Gregory Davis (Deceased)
Office of the Federal Public Defender
Middle District of North Carolina
251 North Main Street, Suite 849
Winston-Salem, North Carolina 27701
336-631-5278

6. United States v. Elton Turnbull

Case No. 1:02CR340

United States District Court for the Middle District of North Carolina
The Honorable Frank W. Bullock, Jr. (Retired)

Homeland Security – Immigration and Customs Enforcement led this investigation. Elton Turnbull and 10 coconspirators were charged in a two-count indictment with conspiracy to distribute 5 kilograms or more of cocaine hydrochloride and conspiracy to commit money laundering. The investigation revealed that Turnbull was the head of an international drug trafficking organization linked to the importation and distribution of cocaine in the MDNC, the Southern District of Georgia, the U. S. Virgin Islands, the British Virgin Islands, and the South American countries of Colombia and Venezuela. Turnbull laundered over \$10,000,000.00 in drug proceeds and was responsible for thousands of kilograms of cocaine being smuggled into the United States. Turnbull was a well-educated man who assumed a very low profile while living and working in the Greensboro, North Carolina area. At the time of his arrest in October 2001, he ran a

landscaping business in Greensboro. He recruited couriers to transport drug proceeds to the various locations named above. Turnbull was sentenced to 348 months in prison. He cooperated with the Government and testified in three trials in the U. S. Virgin Islands against coconspirators who were indicted there as part of this investigation. His sentence was later reduced to 160 months. I handled all matters relating to the prosecution of this case. I guided the pre-indictment investigation that required numerous interviews and debriefings with cooperation sources of information. I met with investigators and prosecutors from the U. S. Virgin Islands to coordinate charging decisions between the districts. I examined witnesses before the grand jury, drafted and finalized indictments that were presented to the grand jury, negotiated plea agreements, prepared factual summaries in support of each plea agreement, and handled all direct appeals and post-conviction motions that were filed.

Opposing Counsel:

The Honorable William L. Osteen, Jr.
United States District Judge
Middle District of North Carolina
L. Richardson Pryer Federal Courthouse
324 West Market Street
Greensboro, North Carolina 27401
336-332-6090

7. United States v. Rodney Anton Williamson

Case No. 1:06CR474-1

United States District Court for the Middle District of North Carolina

The Honorable N. Carlton Tilley, Jr.

2007

On December 18, 2006, Williamson and 7 codefendants were charged in a one-count indictment with conspiracy to distribute 5 kilograms or more of cocaine hydrochloride. This was an OCDETF investigation conducted by Homeland Security – Immigration and Customs Enforcement. Williamson elected to proceed to trial and was convicted by a jury on August 17, 2007. As part of the verdict, the jury found, beyond a reasonable doubt, that Williamson was accountable for trafficking 400 kilograms of cocaine hydrochloride during the conspiracy. Williamson’s illegal activity spanned the east coast of the United States, the U. S. Virgin Islands, the British Virgin Islands, other islands in the Caribbean, and involved numerous drug couriers who were prosecuted in a separate indictment. At the time of his sentencing on December 7, 2007, Williamson was sentenced to life in prison. Williamson received an Executive Grant of Clemency on January 17, 2017, and his sentence was reduced to 360 months in prison. I handled

the prosecution of this case, from the initial investigative stages through trial, filing response briefs to direct appeals, and filing responses to initial post-convictions motions. At trial, I handled all phases, to include opening statement, direction examination of witnesses, and closing/rebuttal argument.

Opposing Counsel:

Christopher Beechler
Beechler Tomberlin, PLLC
380 Knollwood Street, Suite 305
Winton-Salem, North Carolina 27103
336-723-1110

8. United States v. Manuel Camacho Garcia & Timothy Leon Street
Case No. 1:11CR253
United States District Court for the Middle District of North Carolina
The Honorable Thomas D. Schroeder
2012

Garcia, Street, and 11 codefendants were charged in an indictment which alleged conspiracy to distribute 5 kilograms or more of cocaine hydrochloride and 1000 kilograms or more of marijuana. This was an OCDEF investigation conducted by the Drug Enforcement Administration that that utilized Title III wire interceptions, as well as cooperating defendants and witnesses. Garcia and Street were convicted at trial, with Garcia ultimately being sentenced to a term of 140 months in prison. Street was sentenced to 245 months in prison. A monetary forfeiture judgment was entered against Street in the amount of \$250,000.00. I handled the prosecution of this case, to include opening statement, direction examination of witnesses, and closing/rebuttal argument. I oversaw and guided the investigation in this case, to include reviewing and approving several wiretap affidavits, reviewing hundreds of calls that were intercepted pursuant to court authorization, interviewing cooperating witnesses, and preparing responses to pre-trial motions. I negotiated plea agreements for all of the remaining codefendants in this case. I filed response briefs to all direct appeals in this case, and I filed responses to post-conviction motions filed by defendants in this case.

Opposing Counsel:

Eugene Lester (Garcia)
Sharpless McClearn Lester Duffy, P. A.
200 South Elm Street, Suite 400
Greensboro, North Carolina 27401
336-333-6382

Anne R. Littlejohn (counsel for Street at trial)
437 West Friendly Avenue
Greensboro, North Carolina 27401
336-373-8476

James B. Craven, III (counsel for Street at sentencing)
P. O. Box 1366
Durham, North Carolina 27702
919-688-8295

9. United States v. Roderick Lamar Sanford

Case No. 1:18CR 193-1

United States District Court for the Middle District of North Carolina
The Honorable William L. Osteen, Jr.
2018-2019

Sanford was sentenced to a total term of 322 months in prison, after pleading guilty to one count of conspiring to distribute one kilogram or more of heroin and one count of possession of a firearm in furtherance of the conspiracy. An investigation led by the Drug Enforcement Administration revealed that Sanford was distributing large quantities of heroin in the Orange County, North Carolina area, during a period from in or about 2015 up to the time of his indictment in May 2018. He was ultimately held accountable at sentencing for the distribution of multi-kilograms of heroin, and illegally possessing fentanyl, cocaine base, and marihuana. I handled all matters relating to the prosecution of this case, to include the direction examination and cross-examination of witnesses during a pre-trial hearing, and the negotiation of the plea agreement for the defendant.

Opposing Counsel:

Robert Wall Ewing
6201 Towncenter Drive, Suite 140
Clemmons, North Carolina 27012
336-766-9301

10. United States v. Andrew Boylan Gaddy, et al.

Case No. 1:20CR281

United States v. Mariel Zavala Mendoza

Case No. 1:21CR14-1

United States District Court for the Middle District of North Carolina
The Honorable Thomas D. Schroeder
The Honorable Loretta C. Biggs
2020-2021

Andrew Gaddy and four codefendants – Travis Evans, Dane Simon, Brihana Haskell, and Mariela Zavala Mendoza – were charged with conspiracy to distribute cocaine and marihuana, as well as money laundering, in the Middle District of North Carolina. The Drug Enforcement Administration’s investigation revealed that Gaddy and Evans were supplied hundreds of pounds of marihuana and multiple kilograms of cocaine by Francisco Ochoa, Jr. Ochoa was located in the Eastern District of California. The cocaine obtained by Gaddy was ultimately sold to drug distributors who were students at various universities in North Carolina. The entire investigation resulted in the arrest and conviction of 21 defendants. Sentences for Evans, Simon, Gaddy, and Haskell ranged from 76 months in prison to 13 months. Monetary forfeiture judgments were entered against Gaddy and Evans in the amount of \$250,000. Ochoa was prosecuted in a separate indictment and was sentenced to 73 months in prison. Mendoza (Ochoa’s wife) pleaded guilty to a separate offense of illegally structuring monetary transactions to avoid reporting requirements. She received a three-year probationary sentence. I handled all matters relating to the investigation and prosecution of these cases.

Opposing Counsel:

Amos Granger Tyndall (Gaddy)
Thomas Keran Maher (Gaddy)
Amos Tyndall, PLLC
202B South Greensboro Street
Carroboro, North Carolina 27510
919-967-0504

J. Hart Miles (Evans)
Cheshire Parker Schneider, PLLC
133 Fayetteville Street, Suite 400
Raleigh, North Carolina 27602
919-833-3114

David B. Freedman (Simon)
Crumpler Freedman Parker & Witt
860 West Fifth Street
Winston-Salem, North Carolina 27101
336-725-1304

Wayne Buchanan Eads (Haskell)
Post Office Box 25789
Raleigh, North Carolina 27611-5789
919-833-3703

Lisa S. Costner (Mendoza)
Lisa S. Costner, P. A.
952 West 4th Street
Winston-Salem, North Carolina 27101
336-682-0954

Lisa S. Costner (After July 19, 2021)
Federal Public Defender
Middle District of North Carolina
251 North Main Street, Suite 849
Winston-Salem, North Carolina 27701
336-631-5278

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

I have been an employee of the Department of Justice as an Assistant United States Attorney since 1990. As an Assistant United States Attorney and as Acting United States Attorney, I have been involved in the Project Safe Neighborhoods (PSN) initiative. I have met with community leaders and State and local law enforcement officers to discuss ways to effectively combat violent crime in communities in the Middle District of North Carolina. As part of the PSN strategy, I have participated in “notification” sessions. The sessions involve meetings with individuals who have previously been convicted of felonies and who are at a high risk, based on an analysis of their past criminal conduct, of reoffending. Federal, state and local law enforcement and probation officers, community leaders, and members of the clergy are present. The individuals are provided with resources to assist them with job training and employment opportunities, educational opportunities, and counseling services for drug and alcohol abuse. Those notified are also advised of the consequences of continued criminal conduct by federal and state prosecutors. I have had the opportunity to participate in several notification sessions as Acting United States Attorney. The community support for the PSN program in the Middle District of North Carolina is strong. There are currently eleven active PSN site in this district.

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 taught the following courses:

Elon University School of Law – Trial Practice and Procedure
Adjunct Professor
2010 – 2019

Elon University School of Law – Advanced Trial Advocacy
Adjunct Professor
2008 (Fall Semester)

I have attached a syllabus from the following semesters: 2010 – 2012, and 2014 – 2019. I have been unable to locate a syllabus for the 2008 and 2013 classes.

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 interests.

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 I am 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 career has been devoted to public service as a prosecutor. In this role, I have had the opportunity to work with and assist victims of crime, many of whom have been disadvantaged. Although I have not undertaken any outside legal activities, during the mid-to-late 90s, the Middle District of North Carolina participated in a mentoring program with the Greensboro North Carolina Police Department. I was personally assigned as the mentor for a young lady in middle school.

Beyond my public sector employment, I have worked through my church – St. Mary's United Methodist Church, Walnut Cove, North Carolina – to assist the citizens of my hometown. This is a very small, rural community in the northern part of the Middle District of North Carolina. I have, over the past twenty-five years, worked on church projects that have supplied food, clothes, and medicine to those in need; we have supported the local Senior Citizens' Center; and we have supported the local elementary schools by providing school supplies and donating electronic equipment to teachers and students. I have participated in all of our outreach projects, both with my time and monetarily. I have attended community meetings and programs held on weekends or after business hours that focused on providing mentoring and guidance for middle school children.