

June 16, 2026

The Honorable Charles E. Grassley
Chairman, Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Richard J. Durbin
Ranking Member, Committee on the
Judiciary
United States Senate
711 Hart Senate Office Building
Washington, D.C. 20510

Re: **Letter in Support of the Honorable Daniel D. Domenico's
Nomination to the United States Court of Appeals for the Tenth
Circuit**

Dear Chairman Grassley and Ranking Member Durbin:

I am a professor at Stanford Law School and former judge of the U.S. Court of Appeals for the Tenth Circuit. I write to express my support for the nomination of Chief Judge Daniel D. Domenico to fill Judge Timothy M. Tymkovich's seat on the Tenth Circuit. I sign this letter in a personal capacity, and not on behalf of any current or former employer or client.

I served as a judge on the Tenth Circuit from November 26, 2002, to August 31, 2009, when I resigned from the bench to become a professor and Director of the Constitutional Law Center at Stanford Law School. I was nominated by President George W. Bush and confirmed by a Democratic Senate by unanimous consent. At Stanford Law School, my scholarship has focused on a wide range of constitutional law issues, including the First Amendment, Article II, and the Reconstruction Amendments, and frequently been cited by Justices of the Supreme Court. I also engage, part-time, in private practice, and I was recently

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counsel of record for the prevailing side in *Learning Resources, Inc. v. Trump*, 146 S.Ct. 628 (2026).

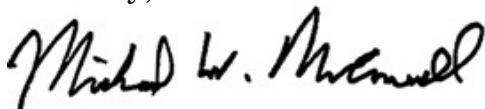
I have known Dan Domenico for over twenty years. I believe that he has the temperament and fidelity to the Constitution requisite to be an outstanding judge on the Tenth Circuit.

Domenico argued before me several times when I was a judge on the Tenth Circuit. As Solicitor General of Colorado, he was charged with defending his state even in cases presenting unfavorable law and challenging facts for his client. In every case, however, Domenico acquitted himself well and advocated for Colorado zealously and effectively.

On the bench, Chief Judge Domenico has demonstrated the impartiality and thoughtfulness that has long been a hallmark of our judiciary. His opinions have contributed to the development of First Amendment, antitrust, and qualified immunity doctrine in the Tenth Circuit and beyond. It is clear to me that Chief Judge Domenico has a clear grasp of constitutional principles and the essentials of American jurisprudence, and an equally clear commitment to applying them fairly and evenhandedly. Moreover, his temperament, interests, and familiarity with the legal issues of the intermountain West make him an ideal candidate for the Tenth Circuit.

I urge the Committee to advance his nomination.

Sincerely,

A handwritten signature in black ink that reads "Michael W. McConnell". The signature is written in a cursive, slightly slanted style.

Michael W. McConnell