

Tennessee Judicial Nominating Commission
Application for Nomination to Judicial Office

Rev. 22 December 2011

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INTRODUCTION

Tennessee Code Annotated section 17-4-101 charges the Judicial Nominating Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question, and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in word processing format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website <http://www.tncourts.gov>). The Commission requests that applicants obtain the word processing form and respond directly on the form. Please respond in the box provided below each question. (The box will expand as you type in the word processing document.) Please read the separate instruction sheet prior to completing this document. Please submit the completed form to the Administrative Office of the Courts in paper format (with ink signature) **and** electronic format (either as an image or a word processing file and with electronic or scanned signature). Please submit seventeen (17) paper copies to the Administrative Office of the Courts. Please e-mail a digital copy to debra.hayes@tncourts.gov.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Department of Justice – United States Attorney’s Office Western District of Tennessee

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

Licensed to practice – 1981

BPR – 009529

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Tennessee - Admitted to practice in 1981 (active)

BPR - 009529

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

No

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

1982 – Present : Department of Justice / United States Attorney’s Office Western District of Tennessee

1981 -1982 : Petkoff, Lancaster & Barnwell

6. If you have not been employed continuously since completion of your legal education, describe what you did during periods of unemployment in excess of six months.

n/a

7. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

Federal Prosecutor / Trial Lawyer - Department of Justice

Primary Area of practice is Criminal Law

Practice : 85% criminal trial work, 15% legal supervision

8. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters. In making your description, include information about the types of matters in which you have represented clients (e.g., information about whether you have handled criminal matters, civil matters, transactional matters, regulatory matters, etc.) and your own personal involvement and activities in the matters where you have been involved. In responding to this question, please be guided by the fact that in order to properly evaluate your application, the Commission needs information about your range of experience, your own personal work and work habits, and your work background, as your legal experience is a very important component of the evaluation required of the Commission. Please provide detailed information that will allow the Commission to evaluate your qualification for the judicial office for which you have applied. The failure to provide detailed information, especially in this question, will hamper the evaluation of your application. Also separately describe any matters of special note in trial courts, appellate courts, and administrative bodies.

My time as a lawyer has been devoted to serving as a federal prosecutor in the United States Attorney's Office for the Western District of Tennessee. During my 29 year career, I have a considerable amount of expertise in criminal law and litigation. I have handled thousands of criminal cases at all stages of the proceedings. My experience includes drafting indictments, preparing and arguing pretrial motions, trial work, handling changes of pleas, sentencing and appeal. My criminal cases have varied from narcotics to violent crime to civil rights violations to gun crimes to economic crimes. I have been in trials lasting from two days to two months. I have personally had more than eighty jury trials and thousands of pre-trial hearings before the district court. In nearly all of my cases, I sat first chair, having primary responsibility for presenting the government's proof. Through my trial work, I have gained a sound understanding

of the rules of evidence and the intricacies involved in handling criminal matters. Likewise, I have a firm grasp of our constitution and the impact it plays at all stages of a criminal proceeding.

In accessing my legal ability it is important to emphasize that I also have had an extensive written practice before the district court and the Sixth Circuit Court of Appeals. The issues I have addressed have varied widely from complex fourth amendment issues to “sufficiency of the evidence” at trial. I have argued numerous cases before the Sixth Circuit, where all of my cases have been affirmed.

In addition to my extensive litigation experience in criminal matters, I have held numerous leadership positions within the office including the position of United States Attorney for the District. (Three separate occasions 2008-2010, 2006 and 2000) I also served as First Assistant/Executive Assistant and Chief of the Criminal Division. In these positions I have been responsible not only for my criminal work, but for the litigation work of all the criminal prosecutors in the district. This has included my making decisions on pre-indictment issues, charging matters, pretrial motions, trial practice, sentencing and appeal. I have trained and counseled numerous lawyers throughout my career in criminal law and courtroom litigation. I have been tasked with reviewing all of the written work for the criminal division including responses to motion’s to suppress, trial memoranda, post-trial motions and appellate briefs. It is important to stress that while I held these various positions, I constantly maintained a criminal caseload.

In evaluating my experience for the Judgeship it is particularly noteworthy that I have established sound, professional relationships with the defense bar. Throughout my career I have developed good working relationships with the defense bar in Shelby County and the surrounding area. At all times I have worked with the standard of being courteous and professional with opposing counsel. My work with defense counsel has varied from direct litigation to meeting with defense counsel to discuss plea negotiations, including whether our office should seek the death penalty. My inter-actions with opposing counsel as well as with their clients has always been handled with courtesy and dignity. I have never had a lawyer make a bar complaint, a complaint to the Department of Justice, or to the court concerning my handling a case either as a trial lawyer or a supervisor.

Overview of my work in the United States Attorney’s Office

United States Attorney : 2008-2010, 2006 and 2000

- Directly supervised the criminal and civil work of the district. Supervision included litigation and resolution of all criminal cases including death penalty cases.
- Maintained a criminal case load and practiced regularly before the courts.
- Established strong partnerships with community, governmental and law enforcement agencies to develop and implement new strategies to address crime through intervention, prevention and enforcement.

Criminal Chief, First / Executive Assistant: 1991 – 2002

- Managed the legal work of the Criminal lawyers in both Memphis and Jackson, Tennessee. Supervision included direct oversight of the trial work of the lawyers including voir dire, pretrial motions, evidentiary issues, sentencing and appeals. Also, managed the charging decisions and written work of the criminal section including indictment, responses to “defense motions” and appellate briefs.
- Provided legal advice to state, local and federal law enforcement concerning federal and state criminal law. On hundreds of occasions, I have worked with numerous law enforcement agencies in the drafting and obtaining of search warrants.
- Personally handled criminal investigations and litigation. Sat first chair on numerous jury trials where I have developed a high level of expertise on criminal law and procedure.

Trial Attorney in the Criminal Section: 1982 - 1991

- Maintained a caseload of approximately 125 criminal cases. Responsible for the case at all stages including investigation, indictment, trial or plea, sentencing and appeal. More than eighty trials throughout my career. Extensive motion and advocacy practice before the district courts and the Court of Appeals. Handled a wide variety of criminal cases ranging from drug offenses to violent crimes to economic crimes.

Petkoff, Lancaster & Barnwell

- Associate - insurance defense

9. Also separately describe any matters of special note in trial courts, appellate courts, and administrative bodies.

U.S. v. John Madison and Willie Ann Madison. After a month long trial, John and Willie Anne Madison were convicted on multiple federal charges arising out of their extensive contracts with the State of Tennessee to provide day care services to indigent children in Shelby County, Tennessee. The trial was complex due to the large volume of documents and the technical criminal charges. Mr. and Mrs. Madison were sentenced to jail time and ordered to pay hundreds of thousands of dollars in restitution.

U.S. v. Sherman Boyland, et al Successfully tried and convicted a Shelby County Deputy Sheriff for the murder of a young man during his arrest. After selling drugs to an undercover officer, the victim fled in an effort to avoid arrest. Sheriff deputies caught the victim after a lengthy foot chase. In an effort to teach him a lesson, the Defendant struck the victim several times in the face. The victim later died from the injuries he received during his arrest. The case was emotionally charged and required technical testimony concerning the cause of death. Deputy Boyland was convicted and sentenced to jail for his use of excessive force.

U.S. v. Daniel Cowart and Paul Schlesselman Cowart and Schlesselman were convicted of conspiracy to violate the civil rights statute. Cowart and Schlesselman agreed to carry out a plan to murder African-Americans including then president elect Obama. The charge was aggressive in that it took an expansive view of the civil rights statute and the constitutional rights protected under the law. The offense arose from the defendants decorating their car with white supremacist propaganda and driving around while armed, with the goal of provoking a confrontation with African-Americans at which time they would shoot them. After several contested hearings, Cowart and Schlesselman entered guilty pleas to the civil rights violations and were sentenced to a substantial period of jail time.

U.S. v. Michael Lee Allan After a contested jury trial, I convicted Allan of intentionally setting fire to a local church located in Shelby County. Two firemen lost their lives fighting the fire. The trial required extensive expert testimony concerning the fire's causation. This case was one of the first convictions under a new statute which provided for life imprisonment under the federal sentencing guidelines. Allan was sentenced to life imprisonment.

U.S. v. Charles Lord Lord was sentenced to life imprisonment for the murder of his neighbor, Doe Roberts. Lord killed Doe Roberts to cover up his stealing funds from a local church. Mrs. Roberts was considered a "missing person" by local law enforcement and Mr. Lord was developed as a suspect through a complex financial fraud investigation. The investigation uncovered Lord's theft of money from several entities including his local church. Lord was held in high esteem by the local community which made it difficult to pursue him as a suspect. During an interview I had with Mr. Lord and his attorney, Mr. Lord confessed to killing Ms. Roberts. The case involved obtaining search warrants for Lord's property where Ms. Roberts was ultimately found under a pile of mulch.

U.S. v. Belinda Marshal, et al After a month long trial where I sat first chair, deputy jailers at the Shelby County jail were convicted of unjustifiably beating inmates housed at the facility. The jailers used riot batons to beat the inmates in an effort to retaliate against the inmates for an assault on a fellow deputy jailer. The case was prosecuted under a civil rights theory which required expert proof concerning proper procedures within a penal institution. The case was a

hard fought trial with the defendants being convicted.

U.S. V. Claude Conley, et al Claude Conley, the owner and chairman of the Bank of Alamo and several real estate investors' were convicted of bank fraud and money laundering charges. The charges arose out of a complex real estate investment scheme which ultimately led to the failure of the Bank of Alamo. The financial loss to the taxpayers was substantial. The case is noteworthy because of its complexity and volume of evidence, which ran into the hundreds of thousands. There were numerous evidentiary hearings before the district court. Mr. Conley and his co-defendants were sentenced to jail time.

U.S. v. Ronald Blackwood Ron Blackwood of the famed Blackwood Brothers gospel singing group was convicted on multiple counts of defrauding aspiring singers out of hundreds of thousands of dollars. Mr. Blackwood used his connection to the music industry as well as his church affiliations to persuade aspiring artist to pay him for what they believed were recording and promotion contracts. Mr. Blackwood took money from multiple victims, but never performed any work. The case is noteworthy because of the work with the victims. Mr. Blackwood defrauded multiple victims from around the country. I took great lengths to keep the victims advised of the legal proceedings and made a concerted effort to disgorge Mr. Blackwood of his ill-gotten gains. Mr. Blackwood was sentenced to jail time and ordered to pay full restitution.

10. If you have served as a mediator, an arbitrator or a judicial officer, describe your experience (including dates and details of the position, the courts or agencies involved, whether elected or appointed, and a description of your duties). Include here detailed description(s) of any noteworthy cases over which you presided or which you heard as a judge, mediator or arbitrator. Please state, as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) a summary of the substance of each case; and (4) a statement of the significance of the case.

No. My job has prevented me serving in any such position.

11. Describe generally any experience you have of serving in a fiduciary capacity such as guardian ad litem, conservator, or trustee other than as a lawyer representing clients.

None

12. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

For the past twelve years I have been a legal evaluator for the Department of Justice. This extra duty has required me to travel to U.S. Attorney's Offices across the country in an effort to review, assess, and assist in their criminal work. As a legal evaluator, the review process requires me to focus on the overall quality of the office's criminal work. My review includes evaluating their written material, assessing their oral advocacy, interviewing judges, prosecutors and defense attorneys in an effort to gauge the strengths and weaknesses of their legal work. After my review, I assist in preparing a report which details the positives and negatives of their criminal practice. The report is sent to both the district as well as to the Department of Justice. Where deficiencies are noted in either their practice or procedure a corrective plan is put in place to improve their legal performance. I have conducted reviews across the country including New York City, Los Angeles, Miami and Portland.

13. List all prior occasions on which you have submitted an application for judgeship to the Judicial Nominating Commission or any predecessor commission or body. Include the specific position applied for, the date of the meeting at which the body considered your application, and whether or not the body submitted your name to the Governor as a nominee.

None

EDUCATION

14. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

The University of Memphis Law School (1978 – 1981)

- Juris Doctorate / Licensed in the State of Tennessee
- Admitted to practice in the United States Supreme Court, the Sixth Circuit Court of Appeals, the Federal District Courts and all Tennessee Courts.

The University of Memphis (1973 – 1978)

- Bachelor of Arts

PERSONAL INFORMATION

15. State your age and date of birth.

57 years of age / birth date: 12/11/1954

16. How long have you lived continuously in the State of Tennessee?

57 years

17. How long have you lived continuously in the county where you are now living?

57 years

18. State the county in which you are registered to vote.

Shelby

19. Describe your military Service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

None

20. Have you ever pled guilty or been convicted or are you now on diversion for violation of any law, regulation or ordinance? Give date, court, charge and disposition.

No

21. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

No

22. If you have been disciplined or cited for breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group, give details.

In my thirty one years of practice I have never been disciplined or cited for a breach of ethics or unprofessional conduct by any bar association, disciplinary committee or other professional group.

In affirming the jury's verdict in a case that I tried in 1996, the Circuit Court criticized my asking a question on re-direct examination. I referred the matter to our Office of Professional Responsibility who thoroughly reviewed the matter and found that I did not commit any ethical violation or professional misconduct in asking the question.

23. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No

24. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

No

25. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

No

26. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

Operation Safe Community – Board of Directors 2008 -2010

High Intensity Drug Trafficking - Board of Directors 2009 -2010

Tennessee Methamphetamine and Pharmaceutical Task Force – Chairman of the Board 2008-2012

Our Lady of Perpetual Help Church

27. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.
- If so, list such organizations and describe the basis of the membership limitation.
 - If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

No

ACHIEVEMENTS

28. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

The Lawyer's Journal Club

Memphis Bar Association

29. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional accomplishments.

Department of Justice "National Director's Award" for Excellence in Litigation. The award was presented to me in Washington D.C. by the Attorney General of the United States.

Letter of Commendation by Attorney General Richard Thornburg

Letter of Commendation by Attorney General Janet Reno

Department of Justice "Sustained Superior Performance Awards" (multiple years) Recognized by the Department of Justice for a high level of legal performance in litigation.

Department of Justice Special Act awards (multiple years) Recognized by the Department of Justice for special projects and cases.

Received multiple awards from federal, state and local law enforcement for my work on cases and special projects. Recognition includes awards from the Memphis Police Department, the Federal Bureau of Investigation, the Secret Service, the Bureau of Alcohol, Tobacco and Firearms and various Inspector General offices.

30. List the citations of any legal articles or books you have published.

None

31. List law school courses, CLE seminars, or other law related courses for which credit is given that you have taught within the last five (5) years.

I have not taught any CLE courses during the past five years, however; I have taught numerous legal courses to law enforcement officers who received POST certification. The courses have ranged in topics from substantive law to testifying in court. The "officers in court" training is noteworthy because it was recognized nationally with an award. The course which I organized and helped present was focused on teaching local and federal officers how to better testify in the courtroom. The course gave the officers an understanding of the rules of evidence and the legal proceedings in both state and federal court. The centerpiece of the program offered officers the chance to testify in a mock trial and to have their testimony critiqued.

I have also taught in-house programs to the legal staff.

32. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

None

33. Have you ever been a registered lobbyist? If yes, please describe your service fully.

No

34. Attach to this questionnaire at least two examples of legal articles, books, briefs, or other legal writings which reflect your personal work. Indicate the degree to which each example reflects your own personal effort.

U.S. v. Verdell Loggins Appellate Brief I wrote and argued before the Sixth Circuit Court of Appeals

U.S. v. Kevin Grothe Government's Sentencing Memorandum, which I wrote and argued before the District Court

ESSAYS/PERSONAL STATEMENTS

35. What are your reasons for seeking this position? *(150 words or less)*

One of the main reasons I want to be a judge is because of my belief that justice needs to prevail in our judicial system and I have dedicated myself to that end. I understand that justice depends not only on our laws, but on who interprets the law. Equality and justice are not just legal principles, but the reasons why I have stayed in my area of practice and it is why I want to be a Criminal Court Judge in Shelby County. Secondly, as Criminal Court Judge I could continue and ultimately expand my efforts to have a positive impact on crime in our community. For nearly thirty years I have concentrated my legal work on making Shelby County a safer place to live and work. The judgeship provides me a unique opportunity to have a significant impact on our criminal justice system. Lastly, I have a personal desire to serve on the bench. I appreciate the important role that a judge plays in our justice system and the need to have experienced and unbiased judges. At this stage in my career, I have the qualities and attributes needed to be a respected and productive member of the bench. I know that I would be rigorously honest, impartial and independent. I would treat everyone with respect, provide everyone a full hearing, and strive to reach the right decision.

36. State any achievements or activities in which you have been involved which demonstrate your commitment to equal justice under the law; include here a discussion of your pro bono service throughout your time as a licensed attorney. *(150 words or less)*

My commitment to equal justice under the law is exhibited in my work with victims and victim's rights. Throughout my career, I have championed the rights of victims in our criminal cases. I have ensured that victims are apprised of all proceedings, provided appropriate services and have a voice in the criminal process. I have organized and participated in training to law enforcement and service providers on the needs of victims and the importance of understanding and respecting victims' rights. This training, which has lasted as long as three days has included statewide partnerships with federal and state offices. On several occasions, I have joined with the Mayors of Shelby County and the Mayors of the City of Memphis to recognize local victims. These events highlighted the role victim's play in our criminal system. I have spoken to victim's groups; reminding them that the criminal process is also about their needs.

My commitment to equal justice is also evidenced by my implementation of the Drug Market Initiative in Shelby County. This innovative program allowed first time non-violent offenders to avoid prosecution by their agreeing to be supervised by their local community.

37. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*)

Criminal Court Division VI is one of ten Criminal Courts in the 30th Judicial District – Shelby County. The Criminal Courts in the 30th Judicial District have jurisdiction over all criminal cases and hear misdemeanor appeals from lower courts. The Judge of Division VI presides over everything from murder trials to misdemeanors and will decide all hearings and trials. Most importantly, the Judge in Division VI upholds the rights of all individuals involved in the legal proceedings in his court.

My selection would positively impact the Court by placing an experienced lawyer on the bench, who could immediately step into the position and efficiently handle the Court's docket. I would also bring to the Court the character and ethics needed to maintain the court's reputation for fairness and honesty. The fact that I have never been disciplined and have gained a positive reputation in the legal community for fairness would aid in upholding the Court's reputation. My selection would also positively impact the Court's work through my efforts to find new ways to address the crime problem in Shelby County. My ability to work with a variety of people and groups to develop innovative programs would be a positive asset to the bench. Finally, my becoming judge would bring diversity of legal background. My legal practice gives me a slightly different perspective on courtroom procedures. Being aware of my background, I am in an excellent position to consider new procedures and practices in Division VI of Criminal Court.

38. Describe your participation in community services or organizations, and what community involvement you intend to have if you are appointed judge? *(250 words or less)*

My commitment to community service is exhibited in my substantial involvement in the

Tennessee Meth and Pharmaceutical Task Force. Several years ago me and a colleague from East Tennessee joined forces to form a working group to address the Meth problem across the state. I have been on the task force since its creation and for the past three years have been chairman of the statewide board. The task force operates to educate, train and provide support to local law enforcement and service providers in their efforts to combat our Meth problem. We were successful in obtaining funding and now operate with a full time staff, providing services to every county in the state.

Under my oversight as chairman of the board, we have trained hundreds of officers on how to safely investigate Meth labs. Also, we have trained judges and prosecutors, children service providers, and the general public on the inherent problems with Meth. Recently we expanded the task force to address the prescription drug problem in our state. My work on the task force has been extensive and demonstrates my commitment to find new ways to address crime.

Also noteworthy in my community work is my time spent on the Memphis Crime Commission. This non-profit group was formed to unite law enforcement, service providers, faith based groups, and business leaders in an effort to reduce crime in Shelby County. In my tenure on the board I was responsible for several strategies that were successfully implemented. These programs include the Drug Market Intervention Program, The Safe Streets Task Force and Project Safe Neighborhoods.

As the Judge of Criminal Court I would increase my involvement in community services and organizations. My focus would include intervention and prevention programs which have proven to have a positive impact on crime reduction. As Criminal Court Judge, I would be in a unique position to advocate for and expand initiatives in our community.

39. Describe life experiences, personal involvements, or talents that you have that you feel will be of assistance to the Commission in evaluating and understanding your candidacy for this judicial position. *(250 words or less)*

In evaluating my candidacy for the position of Criminal Judge for Shelby County it is important to highlight that I have the leadership and temperament needed to administer justice efficiently and effectively. My skills are evidenced by my holding various positions within the Department of Justice. On three occasions, I was selected by The Department and confirmed by the District Court to serve as United States Attorney. As Criminal Chief, FAUSA and USA I proved time and again that I have the skills to manage legal work. During my last tenure as USA, our criminal caseload far exceeded the national average and our number of trials ranked first in the circuit. Our case work was complimented by an extensive community outreach program. Most importantly - crime decreased in Shelby County.

My legal record demonstrates that I possess the legal skills needed to be an outstanding judge.

While I have a sound grasp of criminal and constitutional law, I am equally strong in analyzing the law and the facts. It is for this reason that I have handled an extremely wide variety of criminal cases ranging from simple assaults to complex frauds. I have had cases with less than five pieces of evidence to cases with over three hundred thousand. My legal skills are further exhibited by the fact that for the past twenty years I have extensively counseled and reviewed the legal work of other lawyers.

Finally, in accessing my traits for Judge it important to keep in mind that I have deep roots in our community. I was born and raised in Shelby County. I went to Memphis City Schools and earned my undergraduate and law degree from the University of Memphis. For the past thirty two years I have been married to my wife, who is also from Shelby County. We have three children - two of which are married and living in Shelby County. I am a lifelong Memphian who deeply cares for our community. As Criminal Court Judge I will be dedicated and work hard to make Shelby County one of the safest places in the country.

40. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. *(250 words or less)*

Yes, I have long held the strong belief that justice is administered equally regardless of my opinion or the opinions of others. My resolve to do what the law requires as opposes to what may be considered publicly popular is evidenced in my handling of the case of **U.S. v. Marshal, et al.** In this case I was tasked with the investigation and prosecution of deputy jailers who violently beat inmates under their care at the Shelby County Jail. The lengthy investigation revealed that inmates threw feces and urine on a deputy jailer as she patrolled a pod where numerous inmates were housed. In retaliation, the deputy jailers went into the pod armed with riot batons and severely beat the inmates. Several of the inmates' injuries were serious and required medical attention at the hospital. Few of the deputy jailers cooperated in the investigations citing the belief that the inmates, most of them convicted felons with lengthy jail records, got what they deserved. The case went to trial, which lasted approximately a month. Local law enforcement openly supported the actions of the deputy jailers. Nearly every day the courtroom was full with supporters for the officers. The jury found the guards guilty of using excessive force in violation of the civil rights statute.

My commitment to the case reflects my firm belief that a judicial officer can never make a decision, legal or otherwise based on whether it may be popular with public opinion. In my years of legal practice I have followed the principle that the first duty of any society is justice.

REFERENCES

41. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A.	David Kustoff, Attorney at law	██████████
B.	Vivian Donelson, Attorney at law	████████████████████
C.	Doris Randal Holt, Assistant Federal Defender	██████████
D.	Larry Godwin, Deputy Director TN Dept. of Safety & Homeland Security	██████████
E.	Jack Dietz, Postal Inspector in Charge	██████████

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the Criminal Court Division VI – 30th Judicial District of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: July30, 2012

/S/ Lawrence J. Laurenzi

Signature

When completed, return this questionnaire to Debbie Hayes, Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.

