

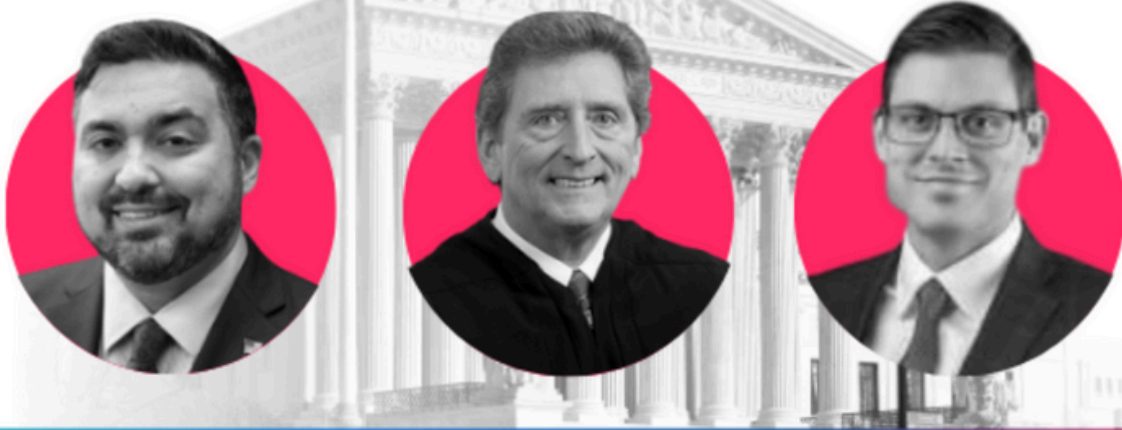


THE BENCHLINE

THE SENATE JUDICIARY COMMITTEE

On Wednesday, the Senate Judiciary Committee held hearings for three federal judicial nominees, [David Fowlkes](#) (Western District of Arkansas), [Aaron Peterson](#) (District Court of Alaska), and [Nicholas Ganjei](#) (Southern District of Texas), who were nominated late last month but were not formally announced by the White House until recently. Their nominations became public through reporting by Reuters and [Bloomberg](#), who learned about the nominations after seeing them on AFJ's website. Alliance for Justice and five other advocacy organizations voiced [concerns](#) about Ganjei's background, which includes extensive ties to far-right extremist organizations. The groups also question whether Ganjei has demonstrated an ability to stand up against unconstitutional and authoritarian actions committed by the Trump administration. Ganjei has reshared and commented on Trump's racist immigration rhetoric, which is especially concerning for a nominee who may preside over a courtroom close to the border, potentially making consequential decisions for immigrants whose cases he will oversee. Ganjei has shown little regard for judicial impartiality and good conduct and elevating him to a lifetime judicial appointment endangers the rights of all Texans.

THE COURTS MUST **DEFEND** DEMOCRACY — NOT **BEND TO POLITICAL AGENDAS.**



Earlier today, the Senate Judiciary Committee also had operative markups for two nominees: **William Crain** (Eastern District of Louisiana) and **Alexander Van Hook** (Western District of Louisiana). AFJ continues to express **strong concern** regarding Crain's nomination, especially his draconian views in criminal cases (where he almost always sides with the prosecution) and his extreme opposition to abortion rights. Several Louisiana-based organizations have **highlighted** their concerns with Crain's nomination, voicing their fears that he will use his lifetime appointment on the bench to further a right-wing agenda that strips people of their civil rights and liberties instead of serving the community. These organizations' constituencies will be directly harmed by Crain's nomination and possible appointment. Louisiana deserves a judge who will uphold the rule of law and side with everyday people, not cut off their civil liberties and serve corporate interests.

The Trump administration also announced three new judicial nominations late last week on Truth Social: Justin Olson (District Court for the Southern District of Indiana), Brian Lea (District Court for the Western District of Tennessee), and Megan Benton (District Court for the Western District of Missouri). In his announcement, Trump praised Olson for his previous anti-trans work, specifically Olson's work to bar transgender athletes from participating in college athletics. Olson has worked as the lead lawyer in two anti-trans lawsuits filed against universities that allowed trans athletes to participate in collegiate sports. AFJ will provide more in-depth coverage on all the records of all three nominees soon, but all early investigation points to another slate of judicial nominations that seem aligned with the Trump administration's extreme, partisan, anti-civil rights agenda.

HOLDING

THE BENCHLINE

Federal magistrate judge, William Fitzpatrick, **raised concerns** around the conduct of the inexperienced lead prosecutor in the criminal case against James Comey, the former F.B.I. director who Trump has unfairly targeted to punish Comey for previously investigating him. Fitzpatrick issued a 24-page ruling, noting that there was a question of whether the government's potential misconduct could require dismissing the charges against Comey in their entirety. The potential misconduct in question traces back to prosecutor Lindsey Halligan's appearance before the grand jury. In her testimony, Halligan made at least two base and highly prejudicial incorrect statements of the law. Additionally, the grand jury materials appeared to be incomplete. Fitzpatrick ordered those grand jury materials, typically kept secret from defendants and their lawyers, to be turned over to Comey's lawyers to allow the team to investigate if the government had broken the law in securing the initial indictment.

This is not the first legal issue embroiled in the Comey case. District Court Judge Cameron Currie **said late last week** that she would rule before Thanksgiving on whether Halligan was lawfully appointed to her position as a U.S. attorney. The decision would have a significant impact on the Comey case, as a ruling Halligan had been appointed unlawfully could result in the case never being refiled or heard. Halligan was elevated to the U.S. attorney's office in the Eastern District of Virginia after Trump fired her predecessor, who refused to indict Comey due to lack of evidence. Halligan was appointed without proper procedures in place, and with the express public demand that she prosecutes Comey. While Currie did not indicate how she might rule in the hearing, we are keeping a close eye on how these cases play out. The Trump administration has been unabashed in its prosecution of Trump's personal political enemies, a move used by authoritarian leaders across history and around the globe. The judiciary is a critical backstop needed to make sure Trump's abuse of his position is reined in, and Comey's prosecution is a key indicator of how the judiciary will hold the benchline against Trump's misconduct and corruption.

Not yet receiving AFJ Insider? Sign up to [join us here](#).
[Donate today to help us keep up The Benchline](#)



If you believe you received this message in error or wish to no longer receive email from us, please [unsubscribe](#).

Alliance for Justice
11 Dupont Circle NW
Suite 500
Washington, DC 20036
United States