

On May 11, President Trump nominated Kasdin Mitchell for a lifetime seat on the U.S. District Court for the Northern District of Texas. Throughout her legal career, Mitchell has consistently aligned herself with extremist ideologies and supported corporate interests. From clerking for Justice Clarence Thomas and Eleventh Circuit Court of Appeals Judge William Pryor Jr. to helping minimize accountability for big tech companies and large gun manufacturers to multiple speaking engagements with the Federalist Society and a fellowship with the Claremont Institute, Mitchell's work and ideological leanings cast serious doubt on her ability to demonstrate the independence required of a federal judge.

EXTREMIST AFFILIATIONS AND FAR-RIGHT TIES

During her legal career, Mitchell has aligned with several far-right organizations that have spent decades working to undermine voting rights, cut off access to reproductive care, chip away civil rights, and weaken regulations issued to protect everyday people. Mitchell joined the Federalist Society in 2010 and has spoken on several Federalist Society panels related to the end of Chevron deference. She also belongs to the Teneo Network, a powerful extremist organization chaired by Leonard Leo that focuses on “combatting woke-ism” and “crushing liberal dominance” in broader American society. Teneo's goal is to remove liberal ideological influences from corporations, education, entertainment, and journalism, effectively functioning as “a Federalist Society for everything.”

In 2017, Mitchell served as a John Marshall Fellow at the Claremont Institute, an organization known for its aggressive brand of far-right thinking. The Claremont Institute has been incredibly influential during Trump's presidencies, with at least 70 former fellows from the last decade now serving in the administration. In recent years, the Claremont Institute has also embraced many extremely controversial far-right figures, including Pizzagate conspiracy theorist Jack Posobiec. Other notable Claremont fellows include John Eastman, who played an instrumental role in Trump's effort to overturn the 2020 presidential election by arguing that then-Vice President Pence had the authority to alter electoral votes, and Russell Vought, who was the chief architect of Project 2025 and is currently the director of the U.S. Office of Management and Budget.

Additionally, Mitchell has worked and advocated for some of the most ideologically far-right judges in the federal judiciary. Mitchell clerked for arch-conservative Supreme Court Justice Clarence Thomas and Judge William Pryor Jr. of the Eleventh Circuit. Mitchell also wrote letters of support for some of Trump's most controversial second-term judicial appointees, including Whitney Hermandorfer (Sixth Circuit), Joshua Divine (Eastern and Western Districts of Missouri), Edmund LaCour (Northern District of Alabama), David Alan Bragdon (Middle District of North Carolina), and Brian Charles Lea (Western District of Tennessee).

SUPPORTED EFFORTS TO WEAKEN REGULATORY PROTECTIONS

Years before the Supreme Court’s damaging decision in *Loper Bright Enterprises v. Raimondo* (2024) (overturning decades of judicial deference to agency expertise), Mitchell co-authored a 2022 Washington Legal Foundation-sponsored [white paper](#) criticizing the Federal Energy Regulatory Commission’s (FERC) effort to more fully consider greenhouse gas emissions in natural gas pipeline approvals. Mitchell’s paper questioned FERC’s authority to update its greenhouse gas policy, pointedly characterizing the proposal as one that “would have upended” the agency’s review process and emphasizing the “significant resistance” it generated — resistance driven largely by the two Republican-appointed dissenting FERC commissioners and fossil fuel industry stakeholders.

An entire section of the paper (“The Dissent”) covered the arguments of the dissenting commissioners, who repeated fossil fuel industry-aligned claims that FERC’s policy was legally suspect, inconsistent with reasoned decision-making, and potentially vulnerable under the major questions doctrine. Not surprisingly, Mitchell’s paper barely covered the environmental justice and climate concerns behind the policy update, including growing legal pressure on FERC to account for greenhouse gas emissions and longstanding concerns about the disproportionate harms fossil fuel infrastructure imposes on nearby communities.

Mitchell’s analysis foreshadowed arguments later embraced by the Supreme Court in *Loper Bright*, which rejected Chevron deference and empowered judges to second-guess agency interpretations of ambiguous statutes. The Washington Legal Foundation later submitted [a joint amicus brief](#) with the far-right Independent Women’s Law Center to support overturning *Chevron*, which advanced a broader legal movement aimed at limiting agencies’ flexibility to address emerging harms through longstanding statutory authority.

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PROTECTS GUN MANUFACTURERS AT THE EXPENSE OF COMMUNITY SAFETY

Mitchell helped draft the petition-stage filings and merits briefs on behalf of the New York State Rifle & Pistol Association (NYSRPA) in *New York State Rifle & Pistol Ass'n v. Bruen* (2022), one of the most consequential and controversial Second Amendment cases in U.S. history. In *Bruen*, the NYSRPA challenged New York's requirement that concealed carry permit applicants show "proper cause," a demonstrated special need for self-defense beyond the general desire to carry a firearm. The NYSRPA argued that this requirement violated the Second Amendment.

The Supreme Court ruled 6-3 in favor of the NYSRPA, with Mitchell's former boss Justice Thomas writing the majority opinion. The Court established a new and unprecedented historical test for Second Amendment challenges, requiring that proposed gun restrictions be consistent with "the history and tradition" of firearms regulation throughout U.S. history. This decision significantly expanded Second Amendment rights and invalidated similar firearms restrictions in several other states. Lower courts have since used the *Bruen* test to strike down laws banning domestic abusers, people with felony convictions, and individuals subject to restraining orders from owning firearms. Consequently, Mitchell's significant role in the *Bruen* decision has led to the further proliferation of firearms in American society, making all of us, especially individuals most vulnerable to gun violence, less safe.

PROTECTS BIG TECH INTERESTS AT THE EXPENSE OF CONSUMERS

Mitchell has regularly represented powerful Big Tech companies in high-stakes First Amendment litigation, always siding with corporate defendants. In *Rogalinski v. Meta* (9th Cir. 2023), Mitchell defended Meta in a First Amendment lawsuit related to Meta's content moderation actions during the COVID-19 pandemic. Mitchell contended that White House Press Secretary Jen Psaki's public statement that the Biden administration was "flagging problematic posts for Facebook" did not constitute sufficient state action for the plaintiff to bring a First Amendment claim. In *Moody v. Netchoice* (2024), Mitchell represented a tech industry trade association that included Meta, Google, TikTok, and X (formerly Twitter) in its challenge to state-level consumer protection regulations in Texas and Florida. These laws were intended to prevent social media companies from censoring users or posts based on their political viewpoints. Mitchell argued that social media companies had First Amendment rights to moderate content on their platforms as they saw fit.

In both these cases, Mitchell fought to limit an individual's free speech rights while arguing for an expansion of corporations' First Amendment rights. With the rise of AI and Big Tech's effort to exert more political and societal control, we cannot afford another federal judge who will consistently look out for Big Tech's interests at the expense of consumer well-being.

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