UNFIT & UNQUALIFIED

JAMES PATRICK SULLIVAN

ALLIANCE FOR JUSTICE

On November 10, 2026, President Donald Trump nominated James Patrick Sullivan to the U.S. District Court for the Western District of Texas. A 2003 Rice University and 2006 Harvard Law School graduate, Sullivan clerked for D.C. Circuit Judge Thomas B. Griffith and practiced at Covington & Burling LLP before serving as Texas assistant solicitor general (2009–2014). After four years at King & Spalding LLP, he joined Gov. Greg Abbott's office, rising to general counsel. Abbott appointed him to the Texas Supreme Court on January 7, 2025, though Sullivan lost his November 2026 bid to retain the seat.

Sullivan has spent his career defending policies that restrict individual rights and dismantling federal protections. He directed litigation backing Texas's harsh border crackdowns, fought federal wage-and-hour enforcement, attacked federal regulatory authority, and opposed legislative action that temporarily halted an execution. On the bench, he issued rulings affecting disability discrimination, government transparency, and gun restrictions. His deep ties to Abbott's legal agenda and conservative legal networks raise serious questions about his judicial philosophy, independence, and commitment to fundamental rights.

FAILED TO UPHOLD TRANSGENDER RIGHTS AND HEALTH CARE

Sullivan served as counsel of record for amici curiae in United States v. Skrmetti, the Supreme Court case challenging Tennessee's ban on gender-affirming care for transgender minors. In 2025, the Court upheld the restrictions against an equal protection challenge, leaving transgender youth subject to state medical bans. On the Texas Supreme Court, Sullivan authored the majority opinion in Aldaco v. Wood, involving a lawsuit against a therapist who wrote a recommendation letter for a patient's double mastectomy. Sullivan rejected a statute-of-limitations defense, ruling the clock started when treatment ended rather than when the letter was issued. While decided on procedural grounds, the ruling allowed the lawsuit against the provider to move forward. Together with his role in Skrmetti, his record demands scrutiny regarding transgender health care access and constitutional protections.

FOUGHT WORKER PROTECTIONS AND DEFENDED CORPORATE INTERESTS

As Texas's lead counsel in Solis v. Texas, Sullivan fought a Department of Labor effort to recover back pay for state employees under the Fair Labor Standards Act. Despite acknowledging adverse Fifth Circuit precedent and Supreme Court language, Sullivan argued sovereign immunity barred the federal government from seeking monetary relief for workers. The district court, Fifth Circuit, and Supreme Court all rejected his bid before the parties settled. Had Sullivan succeeded, he would have gutted a vital tool for enforcing federal wage-and-hour laws. On the bench, Sullivan authored Department of Public Safety v. Callaway. throwing out a disability discrimination claim by a former Texas Ranger with PTSD. Terminated after menacing school counselors and threatening to arrest responding officers, Callaway saw his claim defeated as a matter of law when Sullivan ruled his condition impaired his ability to perform his job — a decision narrowing workplace protection for employees with mental health disabilities.

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ENDORSED EXTREME DEATH PENALTY AND ANTI-GUN SAFETY POSITIONS

As Abbott's general counsel, Sullivan opposed legislative intervention that temporarily halted the execution of Robert Roberson, who was sentenced to death for murdering his two-year-old daughter. In In re Texas House of Representatives, Sullivan filed an amicus brief arguing lawmakers violated the Texas Constitution's separation of powers, later dismissing their actions in his questionnaire as "eleventh-hour delay tactics." Earlier, representing the Texas Department of Criminal Justice in Williams v. Thaler, he used Antiterrorism and Effective Death Penalty Act restrictions to overturn a grant of habeas relief based on ineffective assistance of counsel, leaving the defendant under a life sentence.

On firearms, Sullivan served as counsel of record for amici curiae in New York State Rifle & Pistol Association v. Bruen, which expanded Second Amendment rights and struck down New York's public-carry licensing law. Later, in a concurrence in Noyes v. State, Sullivan questioned a lifetime gun ban imposed after a court found reasonable grounds to believe an individual had committed criminal stalking, expressing constitutional doubts about permanent disarmament without a specific finding of dangerousness. This record raises sharp questions about his approach to criminal defense safeguards and public safety gun laws.

DEEP TIES TO CONSERVATIVE LEGAL NETWORKS

Outside government, Sullivan has been an active Federalist Society member since 2018, speaking on originalism, administrative deference, the Second Amendment, and border litigation at events including the 2025 National Lawyers Convention. He also joined Leonard Leo's Teneo in 2024, becoming chair of its Austin chapter in 2026, and participated in its programming on judicial service and public appointments while sitting on the Texas Supreme Court. His long service to Abbott and leadership in conservative legal networks make his judicial independence a central concern.

SULLIVAN "UNFIT" AND "UNQUALIFIED" TO SERVE ON FEDERAL BENCH

Sullivan's record is defined by a relentless effort to defend harsh immigration crackdowns, gut federal regulations, strip away worker protections, and block legislative oversight in a capital case. On the bench, his rulings have further undermined disability rights, government transparency, gun safety, and judicial restraint in partisan disputes. Deeply indebted to Abbott's political agenda and far-right legal networks, Sullivan lacks the independence, impartiality, and commitment to fundamental rights required of a federal judge. He is manifestly unqualified for the federal bench, and the Senate must reject his nomination.