TO ALL CANDIDATES FOR THE POSITION

UNITED STATES MAGISTRATE JUDGE

McALLEN, TEXAS

FOR THE

SOUTHERN DISTRICT OF TEXAS

In order that your application for candidacy can be received, please complete the accompanying questionnaire and return to the office of the United States District Clerk of the Southern District of Texas.

United States District Clerk's Office

Attention.: Magistrate Judge Merit Selection Committee

515 Rusk Avenue, Room 5000

Post Office Box 61010

Houston, Texas 77208-1010

Applications must be submitted by September 1, 2004

YOU MUST SUBMIT AN ORIGINAL

AND EIGHT COPIES

(TOTAL OF NINE SETS)

QUESTIONNAIRE FOR PROSPECTIVE NOMINEES FOR UNITED STATES MAGISTRATE JUDGE

In answering these questions, please use letter size paper. Repeat each question and place your answer immediately beneath it. Your response should be typed, single spaced. If you are to be considered for the current vacancy for the United States Magistrate Judge, your response must be received by the date indicated in the accompanying cover memorandum letter. Please attach a 2 ½ x 3 inch recent photograph of yourself to at least one of the applications.

1. Full name and social security number.

(We must have your Social Security Number (SSN) to keep your records straight because other people may have the same name and birth date. The SSN has been used to keep records since 1943, when Executive Order 9397 asked agencies to do so. The Office of Personnel Management may also use your SSN to make requests for information about you from employers, schools, banks, and others who know you, but only as allowed by law or Presidential directive. The information we collect by using your SSN will be used for employment purposes and also may be used for studies, statistics, and computer matching to benefit and payment files).

2. Office and home address, zip codes, telephone numbers with area codes. (Name of law firm, if associated.)

3. Date and place of birth.

4. Are you a naturalized citizen? If so, give date and place of naturalization.

5. Family status:

   (a) State whether you are single, married, widowed, divorced or separated. If married, state the date of marriage and your spouse's full name.

   (b) If divorced, state the date, the name of the moving party, the court, and the grounds.

   (c) Names of your children, with age, address and present occupation of each.

6. Have you had any military service? If so, give dates, branch of service, rank, serial number and present status. If discharged, state character of discharge.

11. With respect to the last five years (or the last five years in which you practiced law):

(a) Did you appear in court regularly, occasionally or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof.

(b) What percentage of these appearances was in

(1) Federal Courts.
(2) State Courts of record.
(3) Other Courts.

(c) What percentage of your litigation was

(1) Civil
(2) Criminal

(d) State the number of cases in trial courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

(e) What percentage of these trials was

(1) Jury.
(2) Non-jury.

12. Summarize your experience in court prior to the foregoing five year period, indicating as to that period:

(a) whether your appearances in court were more or less frequent.

(b) any significant changes in the percentages stated in your answers to question 11 (b) and (c).

(c) any significant changes in the number of cases per year in courts of record you tried to verdict or judgment (rather than settled), as sole counsel, chief counsel, or associate counsel.

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6. Have you had any military service? If so, give dates, branch of service, rank, serial number and present status. If discharged, state character of discharge.

7. List each college and law school you attended, including dates of attendance, the degrees awarded and, if you left any institution without receiving a degree, the reason for leaving. Include the following:

   (a) College - major academic achievements and other significant activities:

   (b) Law School - major academic and other activities (e.g. Coif, Law Review, moot court, etc.)

8. List all courts in which you have been admitted to practice, with dates of admission. Give the same information for administrative bodies which require special admission to practice.

9. Describe chronologically your legal and other experience since your graduation from law school, including:

   (a) whether you served as law clerk to a judge, and if so, the name of the judge, the court, and the dates of the period you were a clerk.

   (b) whether you practiced law alone, and if so, the addresses and the dates.

   (c) the dates, names and address of law firms or offices, companies, governmental agencies, or other organizations with which you have been connected, and the nature of your connection with each.

   (d) law teaching experience, including name of law school, dates, courses, and faculty rank.

10. (a) If you have practiced law, what was or has been the general character of your practice, dividing it into periods with dates if its character has changed over the years?

    (b) Describe your typical clients, or former clients, and mention the areas, if any, in which you have specialized.

11. With respect to the last five years (or the last five years in which you practiced law):

(a) Did you appear in court regularly, occasionally or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof.

(b) What percentage of these appearances was in

(1) Federal Courts.
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(c) any significant changes in the number of cases per year in courts of record you tried to verdict or judgment (rather than settled), as sole counsel, chief counsel, or associate counsel.

13. Experience in litigation.

(a) Describe ten of the most significant litigated matters which you personally handled, in either trial or appellate court, and give the citations, if the cases were reported. Give a capsule summary of the substance of each case, and a succinct statement of what you believe to be the particular significance of the case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also, state as to each case, the dates of the litigation, the name of the court(s) and the judge(s) by whom the case was heard and decided, and the individual name, address and telephone numbers of co-counsel and of counsel for each of the other parties.

(b) In addition to the appellate litigation that may be described in your response to the preceding inquiry, list other appeals (not to exceed 10) which you personally have handled, giving the name of the case, the court, the date of decision, and the citation if reported. As to each, indicate whether you write the brief or presented oral argument.

14. (a) Have you ever held judicial office? (If not, omit remainder of question 14). If so, give dates and details including the courts involved, whether elected or appointed, periods of service, and a description of the jurisdiction of each of such courts with any limitations upon the jurisdiction of each court.

(b) As a judge, have you participated in any proceeding in which you had a stock or other financial interest in one of the parties or in the matter in controversy? If so, give particulars.

(c) Is there a rule or custom in your court as to judges sitting on such cases? If so, state the rule or custom and whether or not you have complied with it.

(d) Have you, as a judge, to the best of your knowledge and belief complied with applicable statutes and Canons of the American Bar Association relative to such matters as were in force and applicable at the time? If not, give particulars.

(e) While a judge, have you ever received compensation from outside sources for services rendered (other than fees or expenses for lectures or teaching)? If so, give particulars.

(f) Describe ten of the most significant opinions you have written, or attach copies of them to your answers. Give the citations if the opinions were reported, as well as citations to any appellate review of such opinion.

15. Have you ever held public office other than judicial office? If so, give details, including the office involved, whether elected or appointed, and the length of your service, giving dates.

16. Have you ever been an unsuccessful candidate for elective, judicial, or other public office'? If so, give details, including dates.

17. Have you ever been engaged in any occupation, business or profession other than the practice of law, law teaching, or holding judicial or other public office? If so, give details including dates.

18. Are you now an officer or director or otherwise involved in the management of any business enterprise?

    (a) If so, give details, including the name of the enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service.

    (b) Is it your intention to resign such positions and withdraw from any participation in the management of any such enterprises if you are nominated and confirmed? If not, give reasons.

19. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation of any federal law or regulation, state law or regulations, county or municipal law, regulation or ordinance? If so, give details. Do not include traffic violations for which a fine of $200.00 or less was imposed.

20. Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? If so, give particulars.

21. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? If so, give particulars.

22. Have you ever been sued by a client? If so, give particulars.

23. Have you ever been a party or otherwise involved in any other proceedings? If so, give the particulars.

24. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, give the particulars.

25. (a) What is the present state of your health?

    (b) Have you in the past ten years (i) been hospitalized due to injury or illness or (ii) otherwise incapacitated for a period in excess of ten days? If so, give the particulars, including the causes, the dates, the places of confinement, and the present status of the conditions which caused the confinement or incapacitation.

    (c) Do you suffer from any impairment of eyesight or hearing or any other physical handicap? If so, give details.

    (d) When did you have your most recent general physical examination, and who was the supervising physician? (Give name and full address.)

    (e) Are you currently under treatment for an illness or physical condition? If so, give details.

    (f) Have you ever been treated for or had any problem with alcoholism or any related condition associated with consumption or alcoholic beverages or any other form of drug addiction or dependency? If so, give details.

    (g) Have you ever been treated for or suffered from any form of mental illness? If so, give details.

26. Attach a list of (a) all of your writings which have been published in a law review, law journal, or other legal periodical, (b) all writings which have been published in any other publication of general circulation, (c) all published books which you have written. Give title, full citation, and date of each. Furnish five examples of legal articles, books, briefs, or other legal writings which reflect your personal work. If briefs are submitted, submit only those which were written largely or entirely by you; indicate degree to which they represent your original work.

27. If you have served as a full-time member of a university law faculty, describe any significant committee work, institutional assignments, or other institutional contributions while a faculty member.

28. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices which you have held in such groups. List also chairmanships of any committees in bar associations which you believe to be of particular significance in relation to legal ability and interests and qualifications for United States Magistrate Judge.

29. List all organizations and clubs other than bar associations or professional associations or professional societies of which you are or have been a member, including civic, charitable, religious, educational, social and fraternal organizations. If you are no longer a member, indicate approximate date your membership ceased.

30. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to the foregoing questions.

31. State any other information which may reflect positively or adversely on you, or which you believe should be disclosed in connection with consideration of you for nomination as a United States Magistrate Judge.

32. State, if you wish, the names, addresses, and telephone numbers of three persons who are well acquainted with your legal ability.

33. Are you related by blood or marriage to any judge of the United States District Court for the Southern District of Texas? If so, please explain.

34. The statutory provisions relating to United States Magistrate Judges are contained in Title 28, United States Code, SS 631 through 639 (28 U.S.C.A. SS 631-639). State whether you have read these sections of the Code and whether you can fully accept them and work under them.

Waiver

I hereby waive any privilege of confidentiality I may have concerning information which the Merit Selection Panel may desire to obtain from any source concerning my qualifications for office of United States Magistrate Judge. I specifically authorize all institutions, organizations, schools, physicians, hospitals, and individuals to make available to the Merit Selection Panel any information concerning me which it may request.

_____
Signature

_____
Typed Name

_____
Date