

The Superior Court
OF THE
State of California

SAN DIEGO

Chambers of
JAMI L. FERRARA
Judge of the Superior Court

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17 November 2024

The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
United States Senate
711 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Lindsey Graham
Ranking Member
Committee on the Judiciary
United States Senate
211 Russell Senate Building
Washington, D.C. 20510

**RE: Benjamin J. Cheeks, Nominee, Federal District Court for the
Southern District of California**

Dear Senate Judiciary Committee Members,

It is with great pleasure that I write this letter in support of Judge Ben Cheeks' nomination to the United States District Court for the Southern District of California. I strongly believe that he would be an excellent District Court Judge.

I first met Judge Cheeks approximately 13 years ago when he was one of a team of Assistant U.S. Attorneys (AUSA's) on a mortgage fraud case in which I represented one of the defendants. Although he was new to the district and a junior member of the team, Judge Cheeks was actively involved and collaborative in the efforts to resolve the case fairly and equitably for both the victims and the defendants. I had been a member of the Criminal Justice Act (CJA) Panel for over ten years at that point and saw that Judge Cheeks approached the case with an eye toward justice for all involved and not just to punish the defendants with the full weight of the Department of Justice.

Soon after, Judge Cheeks left the U.S. Attorney's Office and joined the CJA Panel, representing indigent defendants in federal court in San Diego. In that capacity, my interactions with Judge Cheeks became more frequent and I had the opportunity to work with him on several cases as co-counsel and to become good friends. Judge Cheeks brought a unique perspective to his new role as defense counsel, having served as a prosecutor in both New York and San Diego. He treated his clients with respect and was a model of civility in the courtroom. He became very active in the legal community in San Diego. He took on leadership

roles in bar organizations. People started to encourage him to apply to be a judge, seeing his innate qualities of fairness and compassion, his analytic eye toward legal issues and his hours of hard work as a lawyer and community leader.

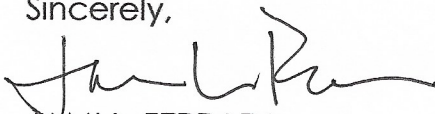
Although Judge Cheeks was only recently appointed as a Magistrate Judge, he has worked very hard to transition from his role as an advocate to that of a neutral. He has the respect of the attorneys who appear before him, both civil and criminal. He has had to learn civil law and has put his skills in negotiating to work in discovery and settlement conferences. He believes in the rule of law and due process. His role as a District Court Judge would change, but what he has learned as a magistrate judge will only aid in that transition.

Judge Cheeks is not just a fine, fair, well-qualified candidate for the role of a district judge, but he is also a good, kind, empathetic man. He is devoted to wife and sons. He is a loyal friend. All of these characteristics will help to make him a stand-out District Court Judge.

It is unusual for a criminal defense lawyer to be appointed to the federal bench in the Southern District of California. Out of 22 active and senior district court judges, only one is a former criminal defense lawyer. Of the 12 sitting magistrate judges, only three are former criminal defense lawyers (and one is Judge Cheeks). Compare this to the 23 District Court and Magistrate Judges currently serving in this district who are former prosecutors. Judge Cheeks is one of only three African-American judges in the Southern District of California. It was noticed and celebrated by the San Diego legal community when he was appointed as a Magistrate Judge and then again, when he was nominated by President Biden to be a District Court Judge.

I strongly believe that Judge Cheeks will be an outstanding District Court Judge. I appreciate this opportunity to offer my full support of Judge Cheeks as he appears for his hearing on 20 November 2024. He is an excellent candidate and I hope that the Committee votes in his favor and that he is confirmed quickly.

Sincerely,



JAMI L. FERRARA

Judge of the Superior Court of the State of California
San Diego County