

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

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

Re: Nomination of Magistrate Judge Benjamin J. Cheeks to the United States District Court for the Southern District of California

Dear Chairman Durbin and Ranking Member Graham:

I respectfully submit this letter in strong and unequivocal support of the nomination of Magistrate Judge Benjamin J. Cheeks to the United States District Court for the Southern District of California. I am a former federal prosecutor, having served in the U.S. Attorney's Office for the Southern District of California and prior to that in the District of New Jersey. I have worked alongside Judge Cheeks when we were both Assistant United States Attorneys, and on court committees and local bar organizations. I have also had the pleasure of witnessing Judge Cheeks in court both as an advocate and from the bench. Even more significantly, perhaps, I have spent time with him, his wife, and children, have seen the type of husband and father he is, talked with him intently about his dedication to his family and being the best father he could possibly be and know him to be a genuine and good person who has earned my unqualified trust. Through these varied experiences, I am qualified to have an opinion on Judge Cheeks's fairness, application of the law, and temperament as a judicial officer and I can confidently say Judge Cheeks is an excellent candidate for the District Court and I support his confirmation wholeheartedly.

Judge Cheeks has demonstrated his strong commitment to the rule of law and to public service, first as a prosecutor with the Manhattan District Attorney's Office in New York, then as an Assistant United States Attorney in the Southern District of California, and most recently as a Magistrate Judge for the Southern District of California. Following his government service and prior to his selection as a United States Magistrate Judge, Judge Cheeks worked in private practice, serving as an attorney on the Criminal Justice Act panel of attorneys for the Southern District of California. Additionally, Judge Cheeks has served as a professor of law and given much of himself to the next generation of attorneys and inspiring them to an appreciation for our system of government and a dedication to the rule of law.

Over the last decade and a half in San Diego, Judge Cheeks has earned the deep respect of the legal community by consistently demonstrating himself to be kind, fair, thoughtful, well-prepared, and learned in the law. And those in the community who have sat alongside Judge Cheeks on court committees, in civic education programs and on continuing legal education panels have always found him to be giving of his time to mentor while remaining modest and earnest in his own efforts to continue to learn and improve.

As a prosecutor, private attorney, professor, and Magistrate Judge, Judge Cheeks has served the Southern District Court and its community with integrity and enthusiasm for more than a decade. I have no doubt he will do the same as a District Judge, and I support his nomination in the strongest terms possible. Thank you for your consideration of my support.

Sincerely,

Robert G. Marasco

